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AGENDA OF THE ORDINARY COUNCIL MEETING

To be held on Monday 16 December 2024 at 6:00 PM

**This Council Meeting will be held at Council Chamber,
350 High Street, Preston.**

**This meeting will be a scheduled hybrid meeting, at which
both councillors and members of the public may
participate either in person or virtually**

**This meeting will also be livestreamed and may be
accessed from Councils website www.darebin.vic.gov.au.**

Persons wishing to observe the meeting in person, submit a Question or make a Submission, are required to register by 12pm on the day of the meeting.



ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and emerging.

Council pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises, and pays tribute to, the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait Islander communities and the right to self-determination in the spirit of mutual understanding and respect.



English

These are the Minutes for the Council Meeting. For assistance with any of the items in the minutes, please telephone 8470 8888.

Arabic

هذه هي محاضر اجتماع المجلس. للحصول على المساعدة في أي من البنود في المحاضر، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

ये काउंसिल की बैठक का सारांश है। सारांश के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale della riunione del Comune. Per assistenza con qualsiasi punto del verbale, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Записникот од состанокот на Општинскиот одбор. За помош во врска со која и да било точка од записникот, ве молиме телефонирајте на 8470 8888.

Nepali

यी परिषद्को बैठकका माइन्युटहरू हुन्। माइन्युटका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਹੈ। ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਵਿਚਲੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kuwaani waa qodobadii lagaga wada hadlay Fadhiga Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Estas son las Actas de la Reunión del Concejo. Para recibir ayuda acerca de algún tema de las actas, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کا ایجنڈا ہے۔ ایجنڈے کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là những Biên bản Họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong biên bản họp, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. OPENING OF MEETING AND MEMBERSHIP

Cr. Kristine Olaris OAM (Mayor)
Cr. Emily Dimitriadis (Deputy Mayor)
Cr. Matt Arturi
Cr. Connie Boglis OAM
Cr. Gaetano Greco
Cr. Ruth Jelley
Cr. Julie O'Brien
Cr. Alexandra Sangster
Cr. Vasilios Tsalkos

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

3. APOLOGIES

4. DISCLOSURES OF CONFLICTS OF INTEREST

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 21 October 2024 and the Special Meeting of Council held on 25 November 2024 be confirmed as a correct record of business transacted.

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

7. QUESTION AND SUBMISSION TIME

Members of the public can lodge questions for Council to answer or make a Comment or Submission prior to a specific item listed on the Agenda of an Ordinary Council meeting.

QUESTIONS

Members of the public can ask up to three (3) questions at an Ordinary Council meeting. Members of the public wishing to ask a question must register their question using the Questions and Submission Time Form before 12 noon on the day of the meeting.

Questions that are not lodged by 12 noon on the day of the Council Meeting will not be accepted, and **no questions will be taken from people *in attendance* on the night of the Council Meeting.**

In accordance with the Council Governance Rules 2020, the Chairperson may disallow a question if it:

- a) relates to a matter outside the duties, functions or powers of Council;
- b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- c) may lead to a breach of Council's statutory obligations;
- d) relates to a Notice of Motion, Petition or item of urgent business;
- e) deals with a subject matter already answered;
- f) is aimed at embarrassing a Councillor or an Officer; or
- g) deals with a matter that should be, or has been, considered as a confidential matter or relates to any matter in respect of which Council may close the Meeting to the public under section 66 of the *Local Government Act 2020*.

No questions directed at an individual Councillor or Officer will be allowed

SUBMISSIONS

Members of the public wishing to make a 2 minute submission on a report listed on the Agenda (unless not permitted pursuant to the Councils Governance Rules) must register online before 12 noon on the day of the Ordinary Council Meeting or Hearing of Submissions Meeting and be in attendance on the day of the Meeting to make their submission.

If the person wishing to make a submission or their representative is not in attendance (including virtual attendance for a scheduled hybrid meeting) when the Agenda item is to be considered, their submission will not be read out.

The person making the submission must clearly state their name and their suburb. The name of the submitter will be recorded in the Minutes, as an official record.

No member of the public can make a submission to a Notice of Motion, Petition (unless originator of petition, Governance Rule 16.3(6)) or item of Urgent Business presented at a Council meeting.

HOW TO REGISTER TO ATTEND THE MEETING, SUBMIT YOUR QUESTION OR MAKE A SUBMISSION

Members of the public who wish to observe the meeting in person, ask a question, or make a submission to an agenda item, at an Ordinary Council Meeting are required to register by 12pm on the day of the meeting in one of the following ways:

- (a) online at darebin.vic.gov.au;
- (b) by calling the customer service team on 8470 8888, or
- (c) by mail to PO Box 91, Preston 3072

Council meetings can be viewed at the 'Watch Council and Planning Committee' meetings page via Council's website.

Agenda's will be available for viewing on Council's website at the 'Meeting Agendas and Minutes' page up to 6 days prior to the date of the meeting.

8. PETITIONS

9. CONSIDERATION OF REPORTS

9.1 DRAFT FY2025/26 BUDGET PARAMETERS AND 10 YEAR LONG TERM BUDGET ENVELOPES

Author: Chief Financial Officer
Coordinator Management Accountant

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

As the first step in development of the draft 2025-26 budget and the draft Long Term Financial Plan, this report outlines the results of Council officers' technical review of the current external economic environment. It outlines recommended assumptions, parameters and principles for use in identifying affordable and financially sustainable budget envelopes for each of the 10 years ahead.

This report also recommends Council seek feedback from the Audit and Risk Committee about the draft Budget parameters to consider at the Ordinary Council meeting in February 2025.

Council sets a 10-year long-term financial plan to ensure it is making good decisions for community in the short, medium & long term. This is in line with Council's obligations under the Local Government Act. Regular review of external pressures, population forecasts, interest rates and other parameters used to prepare forecasts for the financial plan is essential. Council reviews the budget parameters annually.

Council's most recently adopted Long Term Financial Plan (2023/24) reflected significant changes in the external environment and significant financial challenges arising. Council established savings targets at that time within its Long Term Financial Plan.

Since then, new cost pressures have emerged and modelling has identified that the 2023/24 assumptions would not be financially sustainable. Sustained high inflation and very high construction sector inflation has put substantial budget pressure on the local government sector over the last four years, including Darebin, which was reiterated in November 2024 by a report from the Victorian Legislative Council's Economy and Infrastructure Committee on '*Local government funding and services*'.

To address these challenges, this report outlines the results of the technical review and recommends Council notes updates to draft Budget parameters to reflect latest data and forecasts. The draft parameters have been recommended following benchmarking, consultation with local government CFOs and review of State Government published forecasts. The recommendations follow evaluation of multiple scenarios to assess impact on cash and other key indicators to ensure long term financial sustainability.

With inflation driving prices up, Darebin's budget doesn't fund everything it used to. In the last four years costs have increased more than revenue by an estimated \$78 million. Council has managed this significant pressure by improving efficiency, deferring some work and by reducing funding for new infrastructure. To remain financially sustainable, Council will need to carefully monitor and prioritise its budgets for the 4-year Council term and beyond.

Officer Recommendation**That Council:**

- (1) Notes that as the first step in preparing the draft 2025-26 budget and draft Long Term Financial Plan, Council officers have conducted a technical review of assumptions, parameters and principles based on assessment of the current external economic environment and to recommend parameters for use in identifying the affordable and financially sustainable budget envelopes.
 - (2) Notes that the CEO will direct officers to prepare a draft Budget and draft Long Term Financial Plan using these assumptions, parameters and principles as a starting point for Councillors to engage in the Budget and Council Plan development process.
 - (3) Requests that the CEO undertake further modelling on adjusted assumptions, parameters or principles to allow Council to consider options as it develops its draft Budget and that the outcomes of this modelling are reported to Council at its ordinary Council meeting on 24 February 2025, as follows:
 - a. Inclusion of redevelopment of a large Council facility within the next 8 years,
 - b. Inclusion of redevelopment of an additional medium Council facility or an increase in investment in other infrastructure assets within the next 4 years,
 - c. Inclusion of redevelopment of an additional small council facility within the next 4 years,
 - d. Inclusion of a list of options for increasing revenue over the next 8 years, for discussion with Council.
 - (4) Seeks advice from the Audit and Risk Committee on the recommended key budget assumptions, parameters and principles and requests that Council officers report the Committee's advice to Council at its Ordinary Council Meeting on 24 February 2025.
 - (5) Notes that next steps in the process of developing the detailed draft Budget and draft Long Term Financial Plan will take place in early to mid 2025 and include:
 - a. consideration of feedback from community consultation from July to December 2024 which was undertaken to help develop the 2041 Community Vision and Council Plan 2025-29 .
 - b. a report to the 24 February 2025 Ordinary Council meeting to address Council's resolution of 24 June 2024 which directed "the CEO to develop options for presentation to the new Council no later than February 2025 to ensure that the review of the Long-Term Financial Plan is financially sustainable including addressing current structural budget challenges."
 - c. further community consultation following formal Council consideration of these draft plans at their April 2025 Ordinary Council Meeting.
 - d. Consider of community feedback about the draft Budgets and Long Term Financial Plan and adoption in June 2025.
 - (6) Notes that recent changes in the external economic environment have created significant challenges for Council due to very high inflation and much higher cost increases than income increases, and that Council will consider how best to respond to these challenges in 2025 as part of developing its draft Budget and long-term financial plan and considering community feedback.
-

BACKGROUND / KEY INFORMATION

In June 2024, Council adopted the 2024/25 budget and the forward projections for a further 3 years till 2027/28. This included the financial management principles and funding decisions to ensure Council's long term financial sustainability to fund the Community Vision and the Council Plan.

Financial sustainability has remained the focus in the development of the draft 2025/26 budget parameters and the draft long-term budget envelopes.

Key assumptions

For the purposes of the technical review of assumptions, parameters and principles, officers have assumed no significant change to direction compared to the adopted 2023-24 Long Term Financial Plan.

This approach provides a starting point for councillors to consider their options including whether to make changes to direction, or approach. In early 2025, Council will explore these options in detail and should Council decide to adjust approach or direction, these adjustments would be modelled at that time and the draft parameters and any related budget envelopes would be updated.

Whilst the savings target embedded into Council's 2023-24 budget of \$3M for 2023/24 was achieved without adverse impact on services through management of staff vacancies and operating model changes, the long-term budget envelopes include a further inbuilt savings of \$32M along with the previous endorsed investment in the modernisation of the Council's IT infrastructure. This investment is aligned with recommendations from the Audit and Risk Committee and the 2021 Monitor 's report, with a commitment to report the Local Government Minister on progress made. Objectives for the program are summarised at a high level in the table below and Council will be briefed on the Digital Transformation program on January 20th, 2025.

The parameters are comparable with other neighbouring LGA's and publicly available forecasts and information.

- A minimum cash and investment balance of \$45M has been considered
- A capital budget envelope of \$130M and an operating project envelope of \$8M over the next 4 years. Balancing the above budget envelopes enables Council to achieve/maintain low risk financial ratios over the 10-year horizon.
- Savings contributions to a future fund or a reserve to fund large scale capital projects is not included in modelling.
- No additional borrowings have been included.
- Detailed further review will be undertaken as part of the draft Budget development process in collaboration with cost centre managers across all Divisions.

Outcomes of modelling

When the draft assumptions and parameters are modelled, the results show the draft long-term financial results. These indicate ongoing cost pressures in an environment of significant inflation with the construction cost index rising much higher than the rate cap. This necessitates prudent financial decisions to ensure financial sustainability for ongoing service delivery through prioritisation and trade-offs for the 4-year Council term and beyond.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

The development of the 2025/26 budget and the 10-year LTFP is being achieved in an integrated and collaborative manner across the Senior Leadership team, Executive Leadership team and the Council.

DISCUSSION

Financial modelling was done with multiple scenarios and assumptions to review consequent impacts to the cash balance and the financial sustainability indicators. The parameters were compared to other LGA's to ensure consistency and alignment considering the common challenges faced by all Council's.

Multiple financial models were presented to the ELT for feedback and incorporated as part of the collaborative integrated budgeting process.

The key financial principles underpinning the 2025/26 Annual budget is set out in below table with the key parameters listed in Appendix A.

Table 1 – Draft Key Budget Principles

Principles	Proposed	Context
Operating Budget		
Savings	Savings of \$2.2m have been included in 2025/26. Total savings of \$32M has been inbuilt into the 10-year LTFP.	Similar to the 23-24 LTFP, the draft LTFP would include inbuilt savings of \$32M. The achievement of these targets would require Council to make viable funding choices into the future and the specific source of these savings has not been identified.

Principles	Proposed	Context
Revenue		
General Rates	Increased in line with the Rate Cap	As advised by the Minister for Local Government in December 2024 No application will be made for a variation to the Rate Cap
Waste Charge	Will be set based on the estimated full cost of the Service and the inclusion of other costs where allowable	Waste collection and disposal costs rise faster than the Rate Cap. No change in the methodology has been modelled at this draft stage. Review underway.
Statutory Fees and Charges	Will be raised by the full level allowable under the annual indexation as informed by the State Government for various services to apply from 1 July 2025.	Statutory Fees and Charges are set by Regulation and do not necessarily increase with the cost of the service
User Fees and Charges	Will generally be increased by 2.5% or the Rate Cap, whichever is higher	User Fees will also be reviewed in terms of available concessions and an equity assessment. User Fees will also be reviewed when service or operating models are reviewed as part of improving service delivery.
Operating Grants	Will be estimated to increase by 2.0%	For services where State or Commonwealth Governments funding methods have not changed
	Ad hoc.	For services where funding methods have had a significant change will be the subject of a specific review
Interest Income	4.15%.	Will be based on the estimated average cash balance for the 2024/25 financial year
Contributions from Open Space Levies (OSL)	\$4.5M	Will be further reviewed following the Quarter 2 review.
Contributions from Developer Contributions Plan	\$1M	Will be further reviewed following the Quarter 2 review
Expense		
Employee Costs	3.13%	This is an assumption for the purposes of modelling only, and actual figures are subject to future negotiation.
Materials and Services	Estimated to increase by 5%	Due to rising prices and re-tendering of some contracts during 2024/25 Maintenance costs will be estimated following the Quarter 2 review based on the increased asset values and also due to new assets being completed
Utilities	Estimated to increase by 6.5%	Due to rising prices
Depreciation and Amortisation	Estimated to increase by 3.0%	Due to the prior-year's impact of revaluation of assets
Other expenses	Are estimated to increase by 2.5%	Specific costs not necessarily linked to cost increases

Principles	Proposed	Context
Capital Works Program		
Capital Works funding envelope	\$32M inclusive of Council receiving \$2.3m of Capital Grants	No Change
Enterprise Resource Program		
ERP funding	<ul style="list-style-type: none"> Commits to the continued inclusion of an estimated funding of \$36.44M towards modernisation of the IT systems from 24/25 to 28/29. Commits a spend of \$5m spend in FY26. 	<p>Date of the decision: March 2024, in alignment with strong recommendations from ARC and monitor's report.</p> <p>Rational for investment:</p> <ul style="list-style-type: none"> - Ensure service continuity and urgently mitigate major risk of failing to perform service obligation service delivery, business continuity obligations and cyber-attacks due to legacy systems. - Invest in Council's ability to improve Darebin community's poor experience of Council's services as illustrated repeatedly by community survey results. - Improve staff experience, productivity, and compliance. - Contribute to long-term financial sustainability and support population growth by delivering service more efficiently. <p>The funding has been included in the LTFP following the endorsement of the strategy by Council. The program has been extended by an additional year and expected to be completed by June 2029.</p>
Operating Projects		
Operating Projects	It is recommended that Council set funding for Operating Projects to \$2m for 2025/26.	
Debt		
Debt	No new Debt will be budgeted for in 2025/26 and the 10-year long term plan. The current debt is forecasted to be fully repaid in June 2033.	No Change as per adopted Borrowing Policy.
Future Fund		
Sales of assets	Nil	No funds are reserved in a Future Fund. It is recommended that decisions about reserving funds be taken at the time that any disposal of assets be taken.

Over the 10-year periods, cash and investments balance is maintained at or above the minimum levels of \$45M.

The above considerations seek to achieve “Low Risk” ratios in line with the Victorian Auditor General’s Office (**VAGO**) guidelines over the 10-year horizon.

Draft Budget envelopes arising from modelling based on draft parameters

The draft Budget envelopes including draft capital budget envelope over the 10 years is tabled below which indicates a strong requirement to focus on renewals based on current condition data on Council’s assets at the current intervention levels.

	23-24 LTFP	Draft 2025/26	23-24 LTFP	Draft 2025/26	23-24 LTFP	Draft 2025/26
Year	Cash & Investment Balance	Cash & Investment Balance	Capital Works Program	Capital Works Program	Op. Projects	Op. Projects
FY 2025-26	\$60M	\$59M	\$30M	\$32M	\$2.5M	\$2M
FY 2026-27	\$58M	\$54M	\$35M	\$34M	\$2.5M	\$2M
FY 2027-28	\$63M	\$57M	\$30M	\$27M	\$2.5M	\$2M
FY 2028-29	\$45M	\$48M	\$35M	\$37M	\$2.5M	\$2M
FY 2029-30	\$43M	\$45M	\$45M	\$43M	\$2.5M	\$2M
FY 2030-31	\$42M	\$49M	\$45M	\$37M	\$2.5M	\$2M
FY 2031-32	\$41M	\$49M	\$50M	\$42M	\$2.5M	\$2M
FY 2032-33	\$41M	\$49M	\$50M	\$41M	\$2.5M	\$2M
FY 2033-34	\$40M	\$53M	\$50M	\$44M	\$2.5M	\$2M
FY 2034-35	\$40M	\$55M	\$50M	\$44M	\$2.5M	\$2M

The above envelopes have been recommended based on the draft parameters and cash liquidity requirements. However, the resultant draft capital replacement and renewal gap ratio is Medium to High risk and requiring higher funding to cover the depreciation of capital assets.

Assessment of how draft parameters would perform assessed using Victorian local government Financial Sustainability Indicators

The above draft parameters have produced the following financial indicators¹ for the 10-year LTFP. Further detailed budgeting would be undertaken as part of the integrated budgeting and planning process. The results for some of the key ratios between 2025/26 and 2034/35 indicate the following:

1. Net Result: Over the 10-year period, the ratio is “Low Risk” except during the period of the IT investment where is the indicators are categorised as “Medium Risk”
2. Adjusted underlying result: Over the 10-year period, the ratios are “High Risk” reflecting the deficit financial position when grants and other non-recurring income is excluded.
3. Unrestricted cash: During the periods 2028/29 to 2032/33, the “Medium Risk” categorisation reflects the impact of the cumulative spend in ERP and increase in capital works spend from FY29. The risk level improves from 2033/34 which is due to the inbuilt savings target.
4. Capital replacement ratio: The “Medium” to “High” risk reflects the shortfall in spend in capital expenditure to cover the current depreciation levels.

¹ Green: Low Risk Yellow: Medium Risk Red: High Risk

Key Financial Sustainability Indicators	Target	2024/25 (Adopted)	2025/26 (Draft)	2026/27 (Draft)	2027/28 (Draft)	2028/29 (Draft)	2029/30 (Draft)	2030/31 (Draft)	2031/32 (Draft)	2032/33 (Draft)	2033/34 (Draft)	2034/35 (Draft)
Net result	More than 0%	1.4%	(0.2%)	(1.1%)	(1.5%)	(2.3%)	2.9%	2.5%	2.1%	1.6%	1.2%	0.1%
Adjusted underlying result	More than 5%	(2.5%)	(3.5%)	(5.0%)	(4.2%)	(4.9%)	0.3%	(0.1%)	(0.4%)	(0.9%)	(1.2%)	(2.3%)
Liquidity	More than 1.0	1.82	1.78	1.66	1.71	1.52	1.49	1.57	1.58	1.79	1.87	1.91
Unrestricted Cash	More than 80%	97.1%	92.6%	80.9%	85.6%	65.7%	60.8%	68.6%	68.3%	75.7%	82.8%	86.4%
Internal financing	More than 100%	101.6%	111.3%	100.8%	128.9%	89.1%	105.5%	124.7%	110.7%	110.8%	106.2%	103.1%
Indebtedness	40% or less	20.0%	17.0%	14.2%	11.4%	8.6%	5.9%	3.2%	1.1%	1.1%	1.0%	1.0%
Capital replacement ratio	More than 1.5	1.09	0.92	0.95	0.72	0.96	1.09	0.93	1.02	0.97	1.00	0.97
Renewal gap ratio	More than 1.0	0.89	0.61	0.78	0.63	0.96	1.09	0.93	1.02	0.97	1.00	0.97
Loans & Borrowings payments	Less than 5%	3.8%	3.6%	3.5%	3.4%	3.3%	3.2%	3.1%	3.0%	2.4%	0.0%	0.0%

Long term funding decisions over the 10 years would determine the risk profile of the above financial indicators.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

- Revenue, expenses, assets, liabilities, investments, and financial transactions are managed in accordance with Council’s financial policies and strategic plans.
- Management of the following financial risks is a priority: the financial viability of the Council and the management of current and future liabilities of the Council.
- Financial policies and strategic plans are designed to provide financial stability and predictability to the community.
- Council develops its budget with awareness of the current broader economic context (i.e., high inflation, high interest rates) and its impact on the community.
- Council maintains accounts and records that explain its financial operations and financial position

Financial Policy Statements

- Consistent underlying surplus results.
- Ensure Council maintains sufficient working capital to meet its debt obligations as they fall due.
- Council maintains sufficient unrestricted cash to ensure ongoing liquidity as well as to address unforeseen cash imposts if required.
- Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life.
- Capital Grants will only be included for known amounts from known Grant programs and will not be accepted for commitments that expose Council to funding projects over and above the existing long-term Capital Works program.
- Council will not accept gifted assets where the long-term maintenance funding is not provided or insufficient.

Community Engagement

The Act outlines the key strategic planning, budgeting and reporting that Council must undertake. In accordance with the Act, Council is required to follow its Community Engagement Policy in relation to engagement with the community.

Council has a legislative obligation to make decisions that are financially sustainable. In accordance with the Act, a deliberative process will be undertaken once the 2025-26 Draft Budget has been approved for consultation. At this point, this process is expected to be undertaken following the Council meeting of 28 April 2025.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(g) the ongoing financial viability of the Council is to be ensured;

Public Transparency Principles

(a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

(a) an integrated approach to planning, monitoring and performance reporting is to be adopted;

Service Performance Principles

(c) quality and costs standards for services set by the Council should provide good value to the municipal community;


IMPLEMENTATION ACTIONS

- 18 December 2024 - Feedback from the Audit and Risk Committee (the Committee) will be sought at their scheduled meeting on the recommended budget parameters, principles and budget envelopes.
- Jan to April 2025 - development of the draft 2025/26 Budget, Council Plan and the draft 10-year Long Term Financial Plan including consideration of community consultation and exploration of options.
- 24 February 2025 - Officers will report the Audit and Risk Committee's advice and the outcomes of the additional modelling to Council at the ordinary Council meeting in February 2025.
- 24 February 2025 – Report to Council on options to ensure that the review of the Long-Term Financial Plan is financially sustainable including addressing current structural budget challenges.
- 28 April 2025 – Report to Council to consider endorsing draft Council Plan and Draft Budget for the purposes of community consultation
- 29 April – 12 May 2025 Community Consultation
- 19 May 2025 Hearing of Submissions to the 2025-26 Draft Annual Budget, 19 May 2025.
- 23 June 2025 – Report to Council to consider community feedback and adopt its budget and Long Term Financial Plan

RELATED DOCUMENTS

- Annual Budget 2024/25
- Risk Management Policy

Attachments

- Appendix A: 10 year financial plan budget parameters 2025/26 (**Appendix A**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

DAREBIN CITY COUNCIL - 10 YEAR FINANCIAL PLAN BUDGET PARAMETERS - MEDIUM RISK												
Escalation Factors % movement	2024/25	2025/26	2026/27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	Supporting Comments
CPI	4.00%	3.50%	3.00%	2.80%	2.80%	2.80%	2.80%	2.80%	2.80%	2.80%	2.80%	
Growth	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	
Rates and charges	2.75%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	Based on rate cap assumptions. This line does not include the Waste component of Rates & Annual Charges. Annual price escalation for the Waste Component is aligned to Materials and Services as this is where the associated expenses (cost neutral) come from.
Waste Charge	6.30%	5.00%	4.50%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	Waste Charge not subject to Rate Cap. Required to be cost neutral. Pegged to Materials & Services price escalation rates
Statutory fees and fines	5.00%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	
User fees	2.75%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	Aligned to rate cap
Grants - Operating	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	Only re-current grants - conservative approach
Grants - Capital	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	Only re-current grants
Contributions - monetary	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	Escalation to be overridden by OSL & DCP annual estimates.
Contributions - non-monetary	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
Other income	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Interest Rate (Investments)	4.25%	4.15%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	Interest Income will be based on the estimated average cash balance for the 2025/26 financial year at 3.75%.
Employee costs	3.34%	3.13%	2.63%	2.63%	2.63%	2.63%	2.63%	2.63%	2.63%	2.63%	2.63%	EBA increases pegged at 85% of Rate Cap plus SGC until 25/26 plus 0.5% increment increase
Materials and services*	6.30%	5.00%	4.50%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	4.30%	Pegged to CPI
Utilities**	9.70%	6.50%	6.00%	5.80%	5.80%	5.80%	5.80%	5.80%	5.80%	5.80%	5.80%	3% above CPI
Corporate Insurances		20.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	15.00%	
Depreciation & Amortisation	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	Mainly driven by cyclical asset revaluations. Highly variable in nature based on asset replacement costs at that point in time (+/- 10%). 3% per year for budgeting purposes allows for these cyclical fluctuations.
Interest Rate (loans)	4.65%	4.15%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	Aligned Interest Rates with TVC as at 28 Aug 24. 25/26 predicting decrease of 0.5% - 2 x 0.25 basis points
Other expenses	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	
Capital Budget	\$32M	\$32M	\$34M	\$27M	\$37M	\$43M	\$37M	\$42M	\$41M	\$44M	\$44	
Operating Budget	\$2.5M	\$2M	\$2M	\$2M	\$2M	\$2M	\$2M	\$2M	\$2M	\$2M	\$2M	

* Annual price escalation of Councils service contracts are intrinsically linked to CPI - All Groups indexation.

Advice sought from Environmental team. Energy market is quite unpredictable at the moment and will most likely continue to be until the situation in Europe (Gas) stabilises. Council has a contract with VECO which fixes our electricity tariff from 2024, but this does not cover all our electricity bills, this would only cover

** approximately 35-40% of our sites. Recommend using CPI plus averaged factor of 3% for FY 23/24.

9.2 2024/2025 Q1 PERFORMANCE REPORT (FINANCIAL AND NON-FINANCIAL) ENDING 30 SEPTEMBER 2024

Author: Corporate Strategy & Performance Lead
Coordinator Corporate Strategy
Coordinator Financial Accountant

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

The purpose of this report is to provide the 2024/2025 Quarter One (Q1) Performance Report (non-financial and financial) to 30 September 2024. This report includes:

- (1) Non-financial performance, including Council Plan Action Plan (CPAP), Capital Works Performance and Council Resolutions; and

Financial performance including 2024/2025 Quarter One Financial Report and Q1 Procurement update. The 2024/2025 Q1 (July – September 2024) Performance Report includes progress of the CPAP, Capital Works Program, Council Resolutions, Procurement (**Appendix A**), and Financial Performance (**Appendix B**).

The 2024/2025 CPAP provides an overview of Council's performance in delivering the year three actions that will contribute to the completion of the four-year strategic actions in the Council Plan 2021/2025.

Overall, the Q1 results indicate that delivery of the 2024/2025 Council Plan Action Plan is progressing well, with 86% (61 actions) on track, 10% (7 actions) delayed and 4% (3 actions) completed, as detailed in **Appendix A**.

The 2024/2025 Q1 Financial Report in **Appendix B** provides an update of the financial results ending 30 September 2024. To comply with the *Local Government Act 2020* (the Act) the report includes the following comparisons for the three months ended 30 September 2024:

- A comparison of actual and budgeted results to date (s.97(2)(a))
- An explanation of any material variations (s.97(2)(b))
- Any other matters prescribed by the regulations (s.97(2)(c))

Impact of asset revaluation and depreciation

Asset revaluation has created a 'once off' effect on the full year forecasted Operating Surplus. The Q1 forecast at September reflects a reduction in full year Operating Surplus to \$2.4M which is a reduction of \$7.7M compared to the adopted budget. This is primarily due to the unbudgeted increase in annual depreciation (non-cash) of \$6.7M as noted above. Other movements in revenue and expenses are noted in detail below. Regular monitoring will continue quarterly with any further changes reflected in Q2 forecast. Valuation of Council assets are required every 3 years in line with relevant audit requirements and internal policies with changes to the value reflected as a year-end adjustment. The long-term impact of asset revaluation (and increased costs of constructing assets), is that higher depreciation will be incurred in future years, and Council will need to budget at higher levels to fund the renewal of assets.

The underlying surplus result provides a clearer indication of how Operating performance in regard to level of income and level of expenditure is tracking: for the three months ended 30 September 2024, Council has recorded an Operating surplus of \$116.51 million, which is \$0.16 million unfavourable to the YTD budget. After eliminating capital and other items, the adjusted underlying surplus is \$116.48 million, which is \$0.19 million unfavourable to the year-to-date budget.


Officer Recommendation

That Council:

- (1) Endorses the quarter one Performance Report 2024-25 including Council Plan Action Plan Progress at **Appendix A**.
- (2) Notes the quarter one update of the Capital Works program at **Appendix A**.
- (3) Notes the quarter one update on Council Resolutions contained within this report for the current financial year 2024/2025.
- (4) Notes the Financial Report for the three months ended 30 September 2024 at **Appendix B**
- (5) Notes the quarter one Procurement update contained within this report.

BACKGROUND / KEY INFORMATION

2024/25 is the fourth and final year of the 2021-25 Council Plan.

Embedded into the Council Plan is the Municipal Public Health and Wellbeing Plan, enabling Council to meet its obligations under the *Public Health and Wellbeing Act 2008* by outlining how we will protect, promote, and improve the public health and wellbeing of our community. Strategic actions that form the health and wellbeing component are identified by a heart symbol 

Council's financial report for the three months ended 30 September 2024 provides an overview of Council's financial performance for the quarter. In accordance with section 97 of the *Local Government Act 2020*, as soon as practicable after the end of each quarter of the financial year, noting the impact of Council elections and caretaker period.

The quarterly financial report must include a comparison of the actual and budgeted results to date; an explanation of any material variations and any other matters prescribed by the regulations and is included in this report.

Previous Council Resolution

At its meeting held on 26 June 2023, Council resolved:

That Council:

- (1) *Note the revised Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan) and 2023-24 Council Plan Action Plan were out on community exhibition seeking community feedback during the period 23 May to 6 June 2023.*
- (2) *Acknowledge the community feedback provided and note officers will write thanking individuals for their time in responding to the revised Council Plan 2021-25 and Council Plan Action Plan.*
- (3) *Adopt the revised Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan) at Appendix A.*

- (4) *Adopt the draft 2023-24 Council Plan Action Plan at Appendix B.*
- (5) *Authorise the CEO to amend the Council Plan 2021-25 and 2023-24 Council Plan Action Plan to reflect any amendments resolved by the Council in the 2023-24 Budget.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

Strategic Direction 2: Prosperous, Liveable and Flourishing

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 1: Vibrant, Respectful and Connected

Strategic Direction 2: Prosperous, Liveable and Flourishing

Strategic Direction 3: Climate, Green and Sustainable

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

This report provides a holistic overview of Q1 performance focusing on financial and non-financial information and social, and sustainable procurement information ending 30 September 2024.

DISCUSSION

Overall Performance Summary:

The table below provides a high-level snapshot of the non-financial and financial performance. As of the end of Q1 the non-financial performance has commenced well with the majority of actions on track.

Performance measurement	Q1 summary commentary	Q1 Status
Council Plan Action Plan performance	3 actions (4%) have been completed, 61 actions (86%) are on track and 7 actions (10%) are delayed	
Capital Works (non-financial) Performance	A solid majority (93%) of programs and projects were on track as of 30 September 2024	93% On Track
Council Resolutions	37 resolutions were made through Council meetings, 14 have been completed and 23 resolutions are in progress.	44% Completed 56% in progress
Operating Performance	Performance for the first three months of the financial year is unfavourable to YTD budget by \$0.16m and the forecast operating performance for the full 2024-25	Stable

Performance measurement	Q1 summary commentary	Q1 Status
	financial year is expected to be \$7.77m less than budget.	
Capital Performance	For the three months ended 30 September 2024, Council has expended \$2.75 million on the capital works program, which is \$0.94 million ahead of the year-to-date budget. The variance is due to advance in buildings and infrastructure works. The forecast capital performance for the year ending 30 June 2025 is expenditure of \$37.31 million, which is \$5.47 million more than budget which includes carry forwards from prior year of \$5.10M.	Stable
Financial Performance	The financial position as at 30 September 2024 shows a cash (\$33.1M) and investment balance (\$31.54M) of \$64.59 million, which is \$10.07 million ahead of budget. The variance is due mainly to timing differences in receipt of rates, fees and charges, capital grants, payments to employees and suppliers and a higher opening cash and investment position compared with budget.	Stable
Procurement Update	The primary procurement focus is on local business improvement each year. There is a percentage increase to local businesses payments from Q1 period, resulting from higher transactions made from local suppliers by Council.	On track

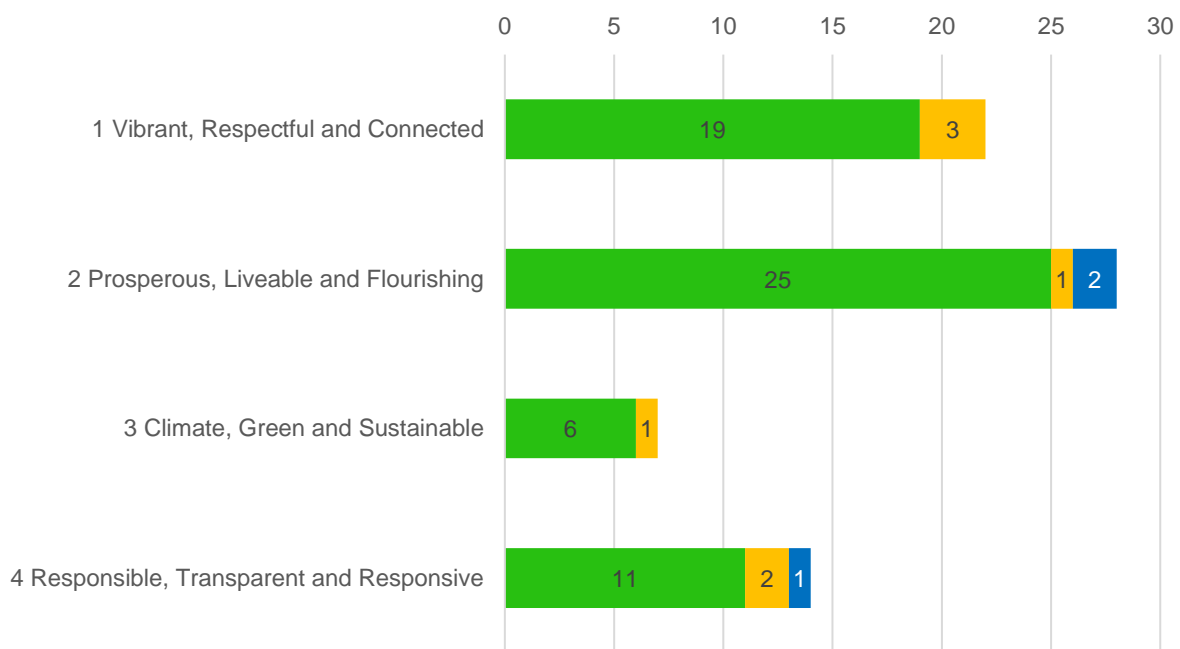
Non- financial Performance

Q1 Council Plan Action Plan Progress Update

The 2024/25 CPAP has a total of 71 actions. As of the 30 September 2024, 3 actions (4%) have been completed, 61 actions (86%) are on track and 7 actions (10%) are delayed/off track.

See **Appendix A** for the detailed progress update of yearly actions including commentary. The 71 yearly actions are across four strategic directions which are aligned to the 2041 Community Vision. Progress on these actions is delivering on the 2041 Community Vision and towards the Community aspirations of what Darebin will look and feel like in 2041.

Figure One: Q1 status of actions across strategic direction



Strategic Direction Highlights

Strategic Direction 1: Vibrant, Respectful and Connected

Strategic direction one is focused on the community and its people. The priority is centred on improving the lives of the community by celebrating diversity, supporting empowerment, connecting to, and preserving local history and providing vibrant and dynamic spaces, amenities, and events for all. This strategic direction has eight strategic objectives spanning across four years with 22 actions to be delivered throughout 2024-25.

Quarter one highlights include:

- Implementation of key strategic documents, Disability Action Plan, Towards Equality Framework, Climate Emergency Plan and the Welcoming Cities Evaluation Report. The documents are integral to improving, celebrating diversity as well as addressing impact of poverty and disadvantage.
- Progressing the development of key strategic documents and initiatives, Aboriginal Action Plan, Aged Friendly Darebin Roadshow and Rainbow Tick Accreditation.
- Completing the 2024/25 Community Grants Program, providing 140 community groups with funding to deliver a range of initiatives for the community.
- Planning has commenced for several festivals and events, such as 7th year of the School Yarning Conference, Molly Hadfield cultural diversity and social cohesion oration, FUSE Festival model.
- Delivered the NAIDOC Yarning Circle conference to address systematic racism issues and combat discrimination.

These key highlights demonstrate the breath of work being delivered to improve the lives of community members by providing opportunities to connect and embrace diversity, reduce racism and discrimination, improve mental health and preserve local history and culture. The development and implementation of key strategic documents is important to ensure there is clear direction to understand the change required, commitment to the community and deliverable action.

Strategic Direction 2: Prosperous, Liveable and Flourishing

Strategic direction two is focused on creating infrastructure and spaces for the community to feel safe, respected, and welcomed as well as to develop partnerships to support local businesses and community to drive growth and economic sustainability. This strategic direction has eight strategic objectives, spanning across the four years with 28 actions to be delivered throughout 2024-25.

Quarter one highlights include:

- Infrastructure highlights include; planning and scoping for repairs at Reservoir Leisure Centre, tendering for construction of KP Hardiman Pavilion and planning for two accessible car parks.
- Commenced road safety and access improvement projects, specifically the children's crossing on Clifton Grove in Preston. Work to support Melbourne Water's work to update flood maps continues. Scoping for at least two locations for the Federal Blackspot program has been completed.
- Work to activate Edwards Lake Boathouse continues, including planning and preparation for an expression of interest to identify interested parties and proposed uses.
- Continue Building Blocks partnership with State Government to expand kindergarten places. As well as continue key program initiatives to support the homeless, the Darebin Assertive Community Outreach Program and the Community Shower Access Program.
- The Families, Youth & Children Strategy has been adopted by Council.
- Other strategic work has progressed including, the investigation and prioritisation of road safety and strategic transport improvements, Community Safety Framework, the draft Community Infrastructure Plan, Housing Strategy and Economic Development Framework
- Statutory planning initiatives are progressing, particularly the planning scheme amendment to deliver an interim 5% open space levy and work with state government to finalise a Central Preston Structure Plan.

These key highlights demonstrate key progress on infrastructure projects as well as the planning and partnerships required to support local businesses and community and drive economic growth and sustainability. The outcomes from these actions will help work towards a prosperous, liveable, and flourishing community.

Strategic Direction 3: Climate, Green and Sustainable

Strategic Direction three is focused on building and ensuring the community and Council owned infrastructure is resilient to climate change, increasing canopy cover over Council managed land, improving water quality and biodiversity across Darebin, improving air and water by reducing carbon emissions through renewable energy, and reusing waste to stimulate a local circular economy. This strategic direction has four strategic objectives spanning across four years with seven actions to be delivered throughout 2024-25.

Quarter one highlights include:

- Implementing the Climate Emergency Plan, including the revised solar saver program, to support the community to be resilient, especially our vulnerable communities.
- Progressing the development of the Contaminated Land Framework and the kerbside waste service review.

- Commence site investigations at Clements Reserve.
- Monitoring the health of Edwards Lake and have commenced delivery of initiatives to improve water quality.

These key highlights continue to demonstrate initiatives to improving the community’s resilience to climate change and caring for Country by improving water quality and implementing initiatives to encourage reusing and recycling of waste products.

Strategic Direction 4: Responsible, Transparent and Responsive

Strategic direction four is focused on transparent and accountable decision making, ensuring that the organisation is financially responsible, managing resources effectively to ensure our current and future services meet the needs of our community, as well as planning and supporting our community through change. This strategic direction has four strategic objectives, spanning across four years with 14 actions to delivered throughout 2024-25.

Quarter one highlights include:

- Progressing work to be financially responsible and deliver on legislative requirements, this includes reviewing the revenue and rating plan and reviewing the 10-year Financial Plan
- Work has also commenced to ensure our asset portfolio is managed well, this includes work to develop a property strategy, commencing feasibility work at 2 Wingrove Street, Alphington.
- Specific Asset management initiatives such as undertaking drainage asset condition inspections has commenced as well as reviewing and updating the 10-year Asset Plan.
- Service reviews have continued to improve service delivery and drive organisational efficiencies. As well as year two actions of the Organisational Strategy to drive performance in an integrated and efficient way.
- Completed the promotion of the 2024 Council election to raise awareness for potential Councillor candidates across the municipality.

The key highlights are focused on ensuring financial responsibility and sustainability in strategic planning process, management of assets and ensuring supporting the community through the election change, good governance and organisational efficiency.

Actions at risk of not being delivered by 30 June 2025.

There are seven actions that have been delayed. The table below highlights the delayed actions at risk of not being delivered by 30 June 2025. These actions will be closely monitored with a further update being provided in the Q2 CPAP performance report.

Table 1: Q1 delayed actions at risk of not being delivered by 30 June 2025.

Strategic Direction	Strategic Action	Action
Vibrant, Respected and Connected.	[1-4] Increase support to Aboriginal community – controlled organisations by incorporating a specific funding stream into our Community Grants Program	Implement the Aboriginal community – controlled Grants Stream which was established in 2023/24.
Prosperous, Liveable and Flourishing	[2-30] Undertake a review of the General Local Law	Complete the review of Darebin’s General Local Law and present to Council for adoption.

Strategic Direction	Strategic Action	Action
Vibrant, Respected and Connected	[1-13] Health & Wellbeing Action - Develop a Cultural Diversity Action Plan to improve access, participation and engagement of people from culturally and linguistically diverse backgrounds including:- <ul style="list-style-type: none"> • Access to venues and encourage participation in Council services where participation is low • Work with our sporting and recreation clubs to increase participation • Identify creative opportunities to reflect Darebin’s different cultures in the built environment across our city • Work with our local organisations to create an active Community Leader network comprising community leaders from our culturally diverse communities 	Finalise a Cultural Diversity Action Plan to improve access, participation and engagement of people from culturally and linguistically diverse backgrounds including:- <ul style="list-style-type: none"> • Access to venues and encourage participation in Council services where participation is low • Work with our sporting and recreation clubs to increase participation • Identify creative opportunities to reflect Darebin’s different cultures in the built environment across our city • Work with our local organisations to create an active Community Leader network comprising community leaders from our culturally diverse communities
Vibrant, Respected and Connected	[1-19] Health & Wellbeing Action- Develop a Sexuality, Sex and Gender Diversity Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia	Finalise and commence implementation of an LGBTIQ+ Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia
Climate, Green & Sustainable	[3-8] Acquire land to create new parks.	Continue to progress the acquisition of the three parcels of land at Clements Reserve from the Department of Transport & Parking.
Responsible, Transparent and Responsive	[4-5] Review our Asset Portfolio, to ensure maximum benefit for our community is being realised, including the occupancy of unused and under-utilised Council buildings	Complete the Property Strategy
		Finalise a Lease and Licensing Policy, with consideration to the inputs provided through deliberative engagement to inform the Council Plan

Health & Wellbeing Actions

All 29 Health and Wellbeing actions (94%) are on track. The 2 delayed actions (6%) have been discussed under the section, actions at risk of not being delivered by 30 June 2025.

Health and Wellbeing quarter highlights include

- There are 5,031 registered 2024-25 annual and summer season participants, a 4% increase from the previous year. Participants include 905 from CALD backgrounds, 135 from Aboriginal and Torres Strait Islander backgrounds and 381 from low socio-economic environments. To provide an opportunity for our community to try something new, the Winter Get Active in Darebin program included free introductory activities like all abilities and carers pickleball, chair yoga, Go Soccer Mums, parents and bubs swimming, and barefoot bowls.
- Materials from Cancer Council Victoria were used to develop new social media posts with key messages that raise awareness of bowel cancer in the community. These messages will be shared on Council’s social media platforms in 2024-2025 financial year.

- 140 community grants applications were recommended for funding. This included 40 (28%) community groups assisted with grants to support mental health and wellbeing activities in Darebin.
- Darebin's first Free from Violence Cultural Inclusion Officer commenced in August. The role of this part-time position will be to lead the implementation of the State Government's Free from Violence Local Government Program at Darebin City Council from 2024-2027.
- Through the delivery of the Climate Emergency Plan, and in preparation for the summer, work has started on promoting cooling centres and other heat safety tips through the heat health campaign. This campaign has a target audience of community members experiencing disadvantage.
- Campaign materials from Quit Victoria in development include campaign videos (in English with Arabic subtitles, Mandarin and Vietnamese), social media tiles and sample captions (in Arabic, Simplified Chinese and Vietnamese), posters (in Arabic, Simplified Chinese and Vietnamese) and sample copy for your website/newsletters (in Arabic, Simplified Chinese and Vietnamese). These materials will be used for social media campaign to encourage community members to quit smoking.

1.7 10 Big Actions

There is a total of twenty-three, four-year actions that contribute to the achievement of the 10 Big Actions. Of these, 20 (87%) are on track, and three (13%) are delayed.

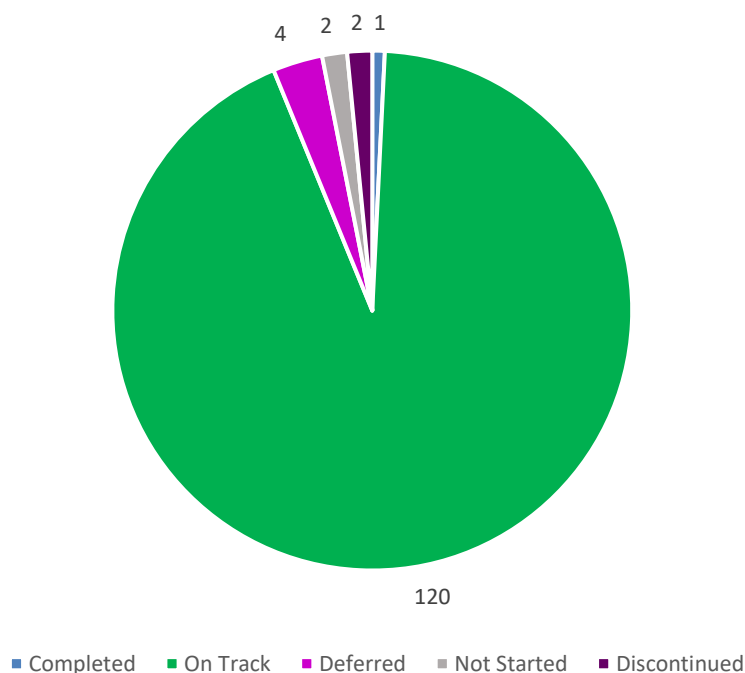
Refer to **Appendix A** for more information.

1.8 Project Performance update

The Capital Works program is progressing well, and projects are continuously monitored to ensure their ongoing financial and strategic viability.

The 2024-25 Capital Works Program has an annual budget of \$31.84 million, with year-to-date expenditure as of 30 September 2024 totalling \$2.75 million, and an additional \$8.2 million committed. The portfolio includes 129 programs and projects. As of 30 September 2024, 120 projects are on track, one project has been completed, four projects have been deferred, two projects have been discontinued and two projects have not yet started. The chart below provides a detailed breakdown of the project statuses.

Capital Works Major Projects Status



Capital Works Program Highlights

There are a number of highlights already from the 24/25 Capital Works Program:

- The construction of the John Hall Pavilion is progressing smoothly, with all key milestones being achieved.
- The Exceloo Renewal of public toilets at both All Nations Park and the Reservoir Community Learning Centre has been successfully completed.
- Additionally, the Massey Avenue Road Rehabilitation Project has been finalized, and the Northcote Town Hall Flooring Project was completed ahead of schedule to prevent disruption to creative events.
- Compliance works at Raleigh Street are moving forward as planned, and the Merri Community Child Care and Kindergarten Expansion is nearing completion, with only the final painting remaining, which is scheduled for December outside of operational hours.

Regarding the progress of carry-forward projects, 13% of the projects have been completed so far and close to one-third of the total budget has been committed or spent to date. Progress on the 2024-25 program is on track for major projects.

- KP Hardiman is currently out for tender, with an award anticipated in January 2025, marking a significant milestone.
- The Council's Road Resurfacing Program has also progressed and is now ready to enter the procurement phase.
- Construction of the Footpath Renewal Program is underway, with completion expected by May 2025.
- The John Hall Pavilion construction is progressing as planned, with an expected completion date also set for May 2025.

In terms of meeting targets for the year, current progress shows that 7% of the YTD target has already been achieved and 22% of the budget has been committed.

There have been no major price shocks or savings noted in procurement at this time. However, Costs are noted to be generally higher across the board than previously anticipated which has required some value management and de-scoping. No project has been deferred or retendered due to inflated costs to this point for 24/25

Several key risks have emerged that could impact project delivery:

The caretaker period has delayed the consultation process for a number of projects (big and small) which this delay will affect overall program delivery. *Identified the need to better incorporate future caretaker periods into Program build and timeframes*

Additionally, the Clements Reserve land acquisition project is on hold due to ongoing land contamination remediation efforts by the Department of Transport (DTP).

As part of the recommendations to Council via the Q1 report, the KP Hardiman project budget has been adjusted to reflect the updated forecast for this year's expenditures. It is recommended that the deferred budget amount for this project be included in next year's budget build to ensure successful delivery of the project.

The full status report for programs and standalone projects is provided in **Appendix A**.

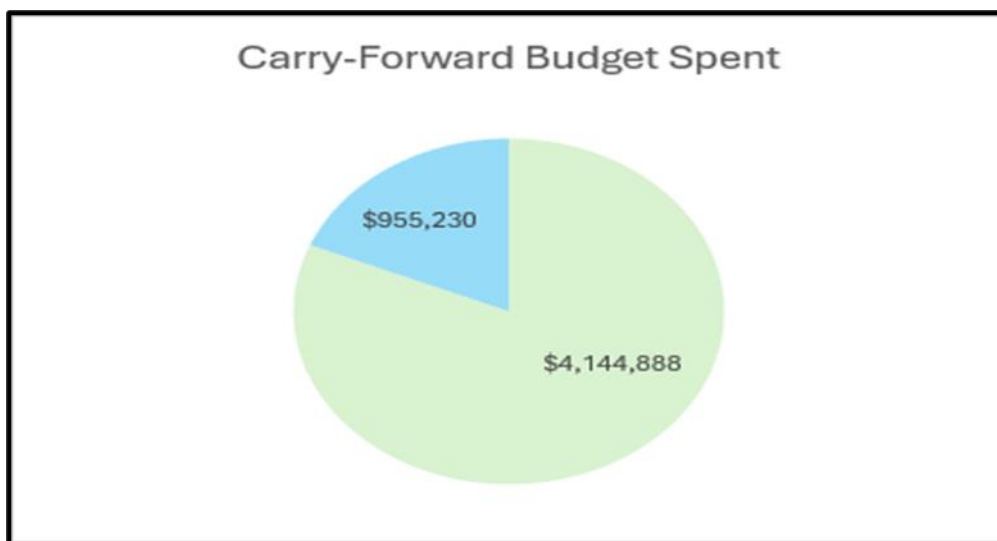
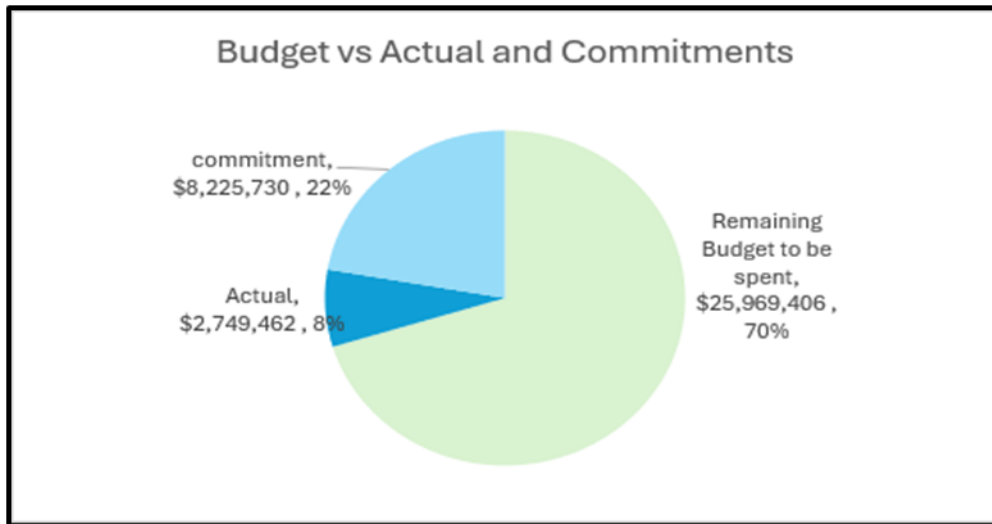
Prior year budget carry forwards (\$5.1M)

13% of the work has been completed, with 25-27% of the budget committed. It is important to note that many of these projects are experiencing timing issues, largely due to dependencies on third parties, such as Jemena and the Department of Transport (DTP), for project implementation. This indicates that while progress is being made, external factors are contributing to slight delays.

2024-25 Capital Works Program Issues

Majority of projects are on track for delivery this year, but there are a few setbacks. Six projects have been either put on hold or deferred, and two have not yet started. These delays will likely affect the overall delivery timeline, and managing these stalled projects will be a priority in the coming months to ensure program objectives are met within the financial year.

In terms of pricing, there is very limited data to confirm whether project costs are within or over the allocated budget at this time. This could be a result of ongoing procurement processes or delays in receiving final cost estimates. This highlights the need for further analysis and data collection to provide a clearer picture of the financial health of ongoing projects, especially as external cost pressures could affect the budget.



1.9 Council Resolutions update

In the first quarter of the 2024-25 financial year, 37 resolutions were made through Council meetings, 14 have been completed and 23 resolutions are in progress.

Due to the complexity of some of the resolutions, they may span multiple years and can be superseded or updated as the initiatives progress.

The current status of Q1 Council resolutions is shown in the table below:

2024-25	In Progress	Completed	Total
1 July 2024 – 30 September (Q1)	23 56%	14 44%	37 100%

2.0 Financial Performance

2.1 Operating performance

Performance for the first three months of the financial year is unfavourable to YTD budget by \$0.16m and the forecast operating performance for the full 2024-25 financial year is expected to be \$7.77m less than budget, noting that this forecast result is substantially a result of depreciation, which is a non-cash entry reflecting updated valuation of Council's assets. As noted above, external valuation of assets are undertaken every 3 years as required by auditing standards with changes made at year end. Other movements in forecast in noted below and the Executive Leadership Team are carefully monitoring performance of both revenue and expenditure through regular reporting and quarterly forecasts.

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Q1 Forecast \$'000
Operating					
Revenue	169,601	170,012	411	213,704	215,697
Expenditure	(52,934)	(53,504)	(570)	(203,511)	(213,272)
Surplus (deficit)	116,667	116,508	(159)	10,193	2,425
Capital & other					
Revenue / grants	0	(32)	(32)	(1,639)	(1,895)
Adjusted underlying surplus/(deficit)	116,667	116,476	(191)	8,554	530

For the three months ended 30 September 2024, Council has recorded an operating surplus of \$116.51 million, which is \$0.16 million behind of the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus is \$116.48 million, which is \$0.19 million unfavourable to the year-to-date budget.

Total expenditure year-to-date is unfavourable by \$570,000 and total revenue year-to-date is favourable by \$411,000. The main items contributing to this unfavourable variance are higher depreciation and amortization costs. lower operating grants and lower contributions.

2.2 Capital performance

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Budget & CFWD's \$'000
Property	436	1,549	(1,113)	10,583	13,935
Plant & equipment	743	450	293	6,140	7,372
Infrastructure	632	749	(117)	15,121	16,005
Total capital works	1,811	2,748	(937)	31,844	37,313

For the three months ended 30 September 2024, Council has expended \$2.75 million on the capital works program, which is \$0.94 million ahead of the year-to-date budget. The variance is due to advance in buildings and infrastructure works.

The forecast capital performance for the year ending 30 June 2025 is expenditure of \$37.31 million, which is \$5.47 million more than budget which includes carry forwards from prior year of \$5.10M.

2.3 Financial Position

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Audited 2024 \$'000
Cash and investments	54,523	64,590	10,067	54,094	64,872
Net current assets	155,416	163,120	7,704	36,479	41,810
Net assets and total equity	1,787,346	2,034,676	247,330	1,680,871	1,918,169

The financial position as at 30 September 2024 shows a cash (\$33.1M) and investment balance (\$31.54M) of \$64.59 million, which is \$10.07 million ahead of budget. The variance is due mainly to timing differences in receipt of rates, fees and charges, capital grants, payments to employees and suppliers and a higher opening cash and investment position compared with budget.

The cash and investment balance of \$64.59 million was sufficient to meet restricted cash and intended allocation obligations of \$28.33 million at the end of September.

The Net Current Asset YTD is \$163.12 million, which is \$7.70 million favourable to budget, primarily due to higher opening cash position and timing of rate receivables. The net asset position of \$2.035 billion is \$247.3 million favourable to budget. This is mainly due to the prior year revaluation increment of property and infrastructure assets not reflected in the adopted budget due to timing of year-end adjustments.

2.4 1st Quarter Budget Review (Q1 Forecast)

Q1 Forecast Operating Result

The 1st Quarter budget review indicate a \$7.7M net unfavourable result compared to adopted budget and \$5.1M more than Council's adopted capital works program.

Operating Performance: Overall unfavorable result to financial forecast to the value of \$7.7M.

Main drivers are:

Operating Revenue (\$1.7M Favourable Net):

- Northcote Aquatic & Recreation Centre: Favourable adjustment to EOY forecast to the value of **\$1.5M** - Prior year profit share earnings in accordance with contractual arrangements to be paid to Council in current year – not budgeted.
- Interest on Investments: Favourable adjustment to EOY forecast to the value of **\$690K** – favourable external market conditions.
- Darebin Resource Recovery Centre: Favourable adjustment to EOY forecast to the value of **\$250K** – Retail sales revenue not budgeted.
- Contribution Income: Favourable adjustment to EOY forecast to the value of **\$178K** - Contribution funds received from developer to maintain parcel of land transferred to Council - Wood St, Preston. Funds to be spent over next 5 years to maintain land.
- Open Space Levy (OSL) Developer Contributions: Unfavourable adjustment to EOY forecast to the value of **\$1M** – Due to continued downturn in construction industry.

Operating Expenditure (\$10.M unfavourable Net):

- Annual Depreciation Expense: Unfavourable adjustment to EOY forecast to the value of **\$6.7M** - As a result of prior year revaluations of Council assets – non-cash impact to budget
- Budget Carry Forwards & Unspent Grants: Unfavourable adjustment to EOY forecast to the value of **\$1.7M** – Unspent budgets from prior year rolled over to the current year to complete service delivery. Funded from prior year cash surplus. When considered over the two years, this is best understood as a timing adjustment not an overspend.
- Tree Maintenance Program: Unfavourable adjustment to EOY forecast to the value of **\$1.5M** - Revised contract price significantly higher than previous arrangements.
- Other minor items: Unfavourable adjustment to EOY forecast to value of **\$300K net** – Other minor adjustments throughout Council operations.

Capital Works Program: Overall unfavorable result to the value of \$5.5M. Main drivers:

- Budget Carry Forwards: Unfavourable adjustment to EOY forecast to the value of **\$5.1M** – Unspent budgets from prior year rolled over to the current year to complete service delivery. Funded from prior year cash surplus. When considered over the two years, this is best understood as a timing adjustment not an overspend.
- Bill Lawry Oval Project - Repayment of unspent grant funding received in a prior year to the value of **\$400K**.

Key forecast changes by project

- Maryborough Avenue Kindergarten Expansion Project – \$867,000 increase to original expenditure budget as a result of receiving higher than expected grant funding this FY from the grantor. Offset with a corresponding increase to the grant funding revenue forecast.
- KP Hardiman Pavilion Design Project - Partial delivery deferred (\$450,000) to next FY due to timing challenges relating to tender processes and caretaker period. Due to award contract in Jan 25.
- Bundoora Farm Barn Roof Renewal – \$158,000 budget rolled over from prior year, now deferred to future years:
 - \$90,000 transferred to Plumbing Renewals - New Roof Includes Gutters and Downpipes at Donald Street Community Hall Project
 - \$30,000 savings
- IT Improvement Program - Asset Management Systems Remediation Project – Project deferred and will form part of the broader ERP Program. Budget to be used to part fund the Infrastructure Improvement (Switch and Hardware Replacement) Project.
- IT Improvement Program - Accelerated deployment: Customer Data Management Project - Project on hold following a review of all IT projects and budgets. Budget to be used to part fund the Infrastructure Improvement (Switch and Hardware Replacement) Project.
- IT Improvement Program - Development of ICT Capabilities of Meeting Rooms Project - Project on hold following a review of all IT projects and budgets. Budget to be used to part fund the Infrastructure Improvement (Switch and Hardware Replacement) Project.
- Road Rehab & Design - testing and design Project - \$50,000 transferred to Road Rehab & Design - High Street Works project.

- Blackspot-Bell Street and Gilbert Road Intersection Traffic Signal Safety Improvements Project – Dept of Transport to deliver project, therefore will not receive expected grant funding (\$290,000). Offset with a corresponding decrease to the grant funding revenue forecast.
- Blackspot-Edwardes Street and Banbury Road Project – Grant application unsuccessful (\$235,000). Offset with a corresponding decrease to the grant funding revenue forecast.

3.0 Procurement update

3.1 Procurement Principles

Council’s Social and Sustainable Procurement Policy Principles continue to drive:

- Value for money is more than price paid.
- More opportunities for the local business community, in particular our social enterprises, to increase their capacity and capability to become suppliers to Council.
- Increased opportunities for local businesses and social enterprises to create capacity for local job seekers, especially those who are marginalised, disadvantaged and under-represented in the work force.
- Working to reduce our negative impact on the environment, support our climate emergency goals and move towards our aim of carbon neutral through purchasing behaviours.
- Lead procurement governance practices of integrity, probity and accountability while building organisational capability and expertise.
- Achieving equity, inclusion, and diversity outcomes.

3.2 Social & Sustainable Results

The following table below provides information of supplier and contract activities for Q1 period July to September 2024, which address our S&SP policy objectives in delivering local, social and sustainable benefits.

a) Local Economy

Supplier payments – local businesses identified by postcode within Darebin (includes contracted and adhoc payments)						
Q1 July to Sept Results Supplier payments	Transacted all Suppliers	Transacted Local Suppliers	%Transacted Suppliers	\$Total aggregated payments all Suppliers	\$Local Suppliers aggregated payments	;%\$Local Suppliers payments
Payment to suppliers (excludes statutory payments)	904	217	24%	\$19.20M	\$4.30M	23%
Expenditure will continue to be monitored. Practices include sourcing and inviting local suppliers to register and provide quotes and pricing.						
Contracts awarded by Category – formal contracts ranging from one to five year term.						

Q1 Results Awarded by Category	No of contracts awarded	No of contracted awarded locally	\$Total aggregated contract sum	Contract sum awarded locally	% \$awarded locally	YTD Local Aggregated FY
Works	1	-	\$2.9M	-	-	0
Services	4	-	\$23.4M	-	-	0
Consultancy	-	-	-	-	-	0
Information	-	-	-	-	-	0
Tech	-	-	-	-	-	0
Goods & Plant	1	-	0.46M	-	-	0
Total	6	-	\$26.76M	-	-	0

Contract awarding will continue to move due to timing of retiring, new or renewal of capital and operational needs. Local businesses may not always be able to fulfill our requirements thus needing to source outside of Darebin. The consequences are less funds going back into the community. Social objectives is a mandatory 25% weighted criteria priority and continue to be promoted in improving local economy and achieving social objectives. Continued education of educate staff, promoting local business registration and sourcing activities continues to target local businesses.

b) Social Opportunities – resulting from contracting

Q1 Results S&SP Objective	Awarded that identify supporting people	Contract total value	Aligned benefits (% or actual no).
Indigenous & Torres Strait staff	1	0.275M	<ul style="list-style-type: none"> Reflect Reconciliation Action Plan 4% of work force employed
Disadvantaged & local apprentices or trainees	-	-	<ul style="list-style-type: none">
Evidence of Local (15-25yo) Young 10% dividend	-	-	
Gender Equity	3	\$23.18M	<ul style="list-style-type: none"> Placement in leadership and management roles EEO Policy Gender equity policies
Social or Charitable Enterprises engaged through contracting	-	-	

Our Social procurement ensures that purchasing decisions always include equity, inclusion and diversity that will collectively achieve a more holistic community result, delivering maximum value for our community. Results continue to move as tendering dependencies are driven by new or renewing procurement events.

Mandatory selection criteria and overall weighting of 25% is applied to:

- Local businesses at 5%
- Social at 5%
- Sustainability at 5% and
- Remaining 10% aligned to either category according to the procurement type or activity.

c) **Sustainability**

Q1 Results S&SP Objective	No. contracts awarded that address environmental sustainable procurement objectives
Environmental policies and initiatives in reducing environmental impacts	4 Contracts evidence and practices: <ul style="list-style-type: none"> • ISO14001 accreditation • Waste management plans • Recycling management plans • Achieving 28% recycling rate
Environmental Management System	

3.3 Procurement Conformance

Effective 1 October 2021, the Social & Sustainable Procurement Policy 2021-2025 (SS&P) contains specific procurement activities as either exempt from the publicly advertised tendering requirements or are specifically exempt for Council from normal sourcing processes.

In addition, where procurement activities are non-compliant with policy and/or legislation, they will also be reported to Audit and Risk Committee.

There were 6 instances throughout July to September 2024 period, relating to both compliant and non-compliant exemptions in accordance with Policy.

Refer Table below for summary information.

Month	Division	Exemption type	Activity	Justification	\$Value
September	Governance & Engagement	Compliant, Council specific	Renewal of Alchemer survey account	Alchemer LLC (formerly Survey Gizmo) was chosen as a provider of proprietary survey software to Council due to its unique corporate offerings. Council's surveys and survey data are held in their cloud, including currently live surveys. Therefore, this subscription is a core piece of software that is used by multiple teams at council and managed by Community Engagement	\$ 10,677.00
September	Governance & Engagement	Compliant, Council specific	LGHUB (Bigtincan / Task Exchange) Software Annual Renewal	LGHub has been used for a number of years as an information & communications hub for Councilors, Executive team, Managers and key administration officers.	\$ 32,724.00
September	Governance & Engagement	Compliant, Council specific	Pinforce Annual Software Maintenance	The system has been in place for the last 10 years providing operation support and service to the Civic Compliance Department. The current agreement with the supplier has seen increments in licensing requirement which is not unexpected and variations have been executed to this effect.	\$ 57,220.00
September	Governance & Engagement	Compliant, Council specific	Event Booking Management System	Continued use of the USI system within the Creative Culture & Events Department. Events Department. The USI system has been in place for the last 6 years providing support and service to the community with events,	\$ 140,407.00
September	Governance & Engagement	Compliant, Council specific	Ausfleet Annual Maintenance	The system has been in place for the last 6 years, providing operation support and service to the City of Darebin Fleet Management Dept.	\$ 41,702.00
September	City Sustainability & Strategy	Non-complaint with Policy	Building Surveyor	This is an additional exemption for specialised Building Surveyor services, to progress building cladding files up to January 2025. A prior exemption was approved in February 2024 valued at \$75,000.	\$ 60,000.00

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The 2024-25 Q1 Performance Report (financial and non-financial) is scheduled to be presented to Council on 16 December 2024.

The 2024-25 Q1 Financial Report is scheduled to be presented to Audit and Risk Committee on 18 December 2024.

Community Engagement

The preparation of the 2024-25 Q1 Performance Report was supported by and involved detailed discussions with all senior leaders, project managers and relevant responsible officers.

The preparation of the Q1 Procurement Update was supported by and involved detailed discussions with all senior leaders, project managers and relevant responsible officers.

Overarching Governance Principles and Supporting Principles

- (i) the transparency of Council decisions, actions and information is to be ensured.
- (g) the ongoing financial viability of the Council is to be ensured;

Public Transparency Principles

- (b) Council information must be publicly available unless (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest;

Strategic Planning Principles

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances;

Service Performance Principles

- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

No Environmental Sustainability Considerations for the 2024-25 Q1 Performance Report.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

This report is based on performance across multiple areas. Equity, Inclusion, Wellbeing and Human Rights considerations are applied within the multiple areas, rather than this report.

Economic Development and Cultural Considerations

This report is based on performance across multiple areas. Economic Development and Cultural Considerations are applied within the multiple areas, rather than this report.

Operational Impacts

Operational impacts are considered when understanding performance trends.

Legal and Risk Implications

The reporting of progress toward the Council Plan Action Plan fulfils Council's legislative obligations in accordance with the principles of the *Local Government Act 2020* and its accountability to the community.



IMPLEMENTATION ACTIONS

2024-25 Q1 Performance Report will be accessible to the community via the Darebin website and social media.

RELATED DOCUMENTS

- 2041 Darebin Community Vision
- Revised 2021-25 Council Plan (incorporating Municipal Health and Wellbeing Plan)
- 2023-24 Council Plan Action Plan
- Annual Budget 2023-24
- Financial Plan 2023-24 to 2032-33
- Local Government Act 2020
- Social and Sustainable Procurement Policy 2021 to 2025

Attachments

- Appendix A - 2024-25 Q1 Performance Report (**Appendix A**) [↓](#) 
- Appendix B - Financial Report 3 months ended 30 September 2024 (**Appendix B**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

COUNCIL PLAN ACTION PLAN 2024-2025 PROGRESS REPORT Q1



the place
to live



INTRODUCTION

Welcome

Guiding the way Council delivers its services and plans for the future is the 2021–25 Council Plan. This plan was developed following the most recent election and revised in 2023-24. The plan outlines the objectives and aims of Council over its four-year term. Development of the plan included significant community consultation at community forums and social media.

Council has committed to four directions that will guide our actions and resources for a period of four years:

1. Vibrant, Respectful and Connected – making sure our community is one where all our people are valued, and no one is left behind
2. Prosperous, Liveable and Flourishing – building on Darebin’s strengths in relation to business, services and industry, and creating a city where all services and facilities to support a balanced, healthy life are easily accessible to our residents
3. Climate, Green and Sustainable – ensuring Darebin is a leader in responding to the climate emergency, and our natural environment is protected and enhanced
4. Responsible, Transparent and Responsive – recognising we are here to serve our community, in all its diversity, and that we govern transparently and accountably.

For more detail on the Council Plan, go to www.darebin.vic.gov.au/About-Council/Council-structure-and-performance/Council-plan

Supporting the Council Plan is an annual Action Plan which sets out our work for the financial year to ensure that the objectives of the Council Plan are implemented.

We invite you to read on to see what we’ve done to implement the Council Plan in the first quarter of the 2024-25 financial year.

INTRODUCTION

How to Read This Report

This document outlines our progress in completing the 2024-25 Council Plan Action Plan.

There are four sections to this report:

Section one provides an overview of the 10 Big Action themes.

Section two provides the quarter one action commentary and progress status for the 71 actions from the 2024-25 Council Plan Action Plan. The actions are arranged by Council Plan strategic direction/objective and have commentary that outlines the progress against that action as at 30 September 2024.

Section three is the Capital Works Portfolio Status Report for Quarter One which provides the status and progress of all programs and major projects.

Section four is the status of Council Resolutions report which provides a summary of the organisation's progress in implementing Council's decisions for the 2043-54 financial year.

Darebin at a Glance

The City of Darebin is located between five and fifteen kilometres north of Melbourne's central business district.

It has been home to the Wurundjeri people for many thousands of years.

Our city covers 53 square kilometres of land stretching from the inner northern suburbs of Northcote and Fairfield to Reservoir and Bundoora.

In 2023, our city's estimated population was 155,683 people, and this is forecast to increase to 216,417 by 2046.

We are home to one of Victoria's largest and most diverse communities in the realms of culture, language, religion, socioeconomic background, employment status, occupation and housing need. In 2021, 46,688 of our residents were born overseas; 18 per cent had arrived in Australia in the five years prior.

We have a diverse mix of properties – with 68,081 residential properties, 4,661 business properties and 531 mixed-use properties. Our largest industries are education and training, retail, manufacturing, health care and social assistance.

As a Council, we are responsible for a large part of our city's infrastructure and natural habitat. We own, manage, or maintain 333 buildings, 790 hectares of open space, 27 sports reserves, seven natural reserves, 57 playing fields/sports grounds, 130 playgrounds, 29 wetlands, 84,300 trees, 530 km of roads, 30 km of shared paths, 1,045 km of sealed footpaths, 66 road and foot bridges, 628 km of stormwater pipes, 23,194 stormwater pits, and 30 gross pollutant traps (structures that trap solid waste such as litter).

While our city's social and economic prosperity is changing, with more of our residents earning higher incomes, we still have many of our residents experiencing disadvantage.

The Socio-Economic Index for Areas (SEIFA) score ranks areas based on indicators that contribute to disadvantage (including unemployment and income). In 2021, Darebin's SEIFA disadvantage score was 1018, which is the same as for Greater Melbourne.

In December 2023, our job seeker rate was 4.3 per cent. This is 0.5 percentage points higher than the unemployment rate for Greater Melbourne (3.8 per cent), and Victoria overall (also 3.8 per cent).

10 BIG ACTIONS

Big Action Number	Council Plan Strategic Action Numbers	Big Action Description
BA1	(None in 2024-25)	Build Infrastructure for the future by developing Northcote Aquatic and Recreation Centre, redeveloping BT Connor Pavilion in Reservoir, and building Darebin Intercultural Centre in Preston.
BA2	2-2 2-3 2-6	Plan infrastructure for decades to come by redeveloping Reservoir Leisure Centre, activating Edwardes Lake Boat House in Reservoir, building new kindergarten facilities, and undertaking a feasibility study for a Global Learning Hub in Preston.
BA3	2-15 2-16 3-1 3-18	Continue to lead with our response to the climate emergency by updating our Climate Emergency Plan to set out how to best achieve zero greenhouse gas emissions for Darebin by 2030, offering solar installations and energy retrofits to pensioners and vulnerable communities, delivering new business and community power purchase partnerships, supporting a shift to a circular economy and programs aimed to improve safety for people cycling, walking and wheeling, increasing active travel which will also reduce transport emissions.
BA4	1-1 1-2 1-3 1-4	Deepen our commitment to truth and justice for First Nations communities in partnership with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and Aboriginal and Torres Strait islander peoples who live and work in Darebin.
BA5	2-40	Support vulnerable members of our community by providing support with COVID-19 recovery, expanding our Homelessness Assertive Outreach program, and supporting community-led programs in East Reservoir and East Preston, to achieve greater physical and mental health, and wellbeing for all.

10 BIG ACTIONS

Big Action Number	Council Plan Strategic Action Numbers	Big Action Description
BA6	2-49	Champion local business and creative industries by providing support with COVID-19 recovery, facilitating the establishment of a Darebin Chamber of Commerce, and improving the lighting and safety of our retail precincts and business activity centres.
BA7	1-6 1-7 1-10 1-12 1-13 1-14 1-19 1-35	Build a more inclusive community for all by supporting Darebin's multicultural communities, reducing racism and discrimination, increasing access to our Council's services and sporting assets by groups who are under-represented, developing our Disability Action Plan, to improve access for all to our services and infrastructure, and achieving Rainbow Tick accreditation (best practice in LGBTQIA+ inclusion) for our services and activities.
BA8	(None in 2024-25)	Improve the quality of development and work to protect all that we love about Darebin by pursuing protections for Preston Market, conducting a Planning Scheme review informed by in-depth community consultation, and reviewing to amend our Parking Permit Policy. [NOT INCLUDED ON 24/25 CPAP]
BA9	3-11	Protect our natural environment and biodiversity by significantly improving water quality in Edwardes Lake, increasing tree canopy coverage in our parks, residential areas and retail precincts, and enhancing understorey planting.
BA10	1-20 2-6	Expand our delivery of quality universal services across the lifespan by providing more three-year old kindergarten places, continuing to deliver our flagship Age Friendly Darebin Project, expanding aged care direct services, and registering to become a home care package provider.

COUNCIL PLAN ACTION PLAN



1.0: Vibrant, Respectful and Connected

1.1: We will prioritise and respect the voices and aspirations of Traditional Owners and Aboriginal and Torres Strait Islander communities in Darebin



H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-1] In consultation with the Traditional Owners, Darebin Aboriginal Advisory Committee and local Aboriginal and Torres Strait Islander Communities develop and commence implementation of a three-year Aboriginal Action Plan Key elements of this Plan, in addition to items mentioned in the Council Plan, to include: <ul style="list-style-type: none"> Develop partnerships with local Aboriginal Community Controlled Organisations to enhance our work towards mutual goals A meaningful and comprehensive response to the six key requests of DAAC's Our Black Lives Matter statement to Council Continue to implement and expand our Aboriginal Employment Strategy and Aboriginal Action Plan Begin discussions with Traditional Owners to understand the feasibility and resources required for Council to hand back land and responsibility for land management 	Finalise and commence implementation of the Aboriginal Action Plan.	A draft action Plan has been developed and shared with internal stakeholders. Options for the best approach to community engagement are currently being considered and this will be discussed with Councillors.		On Track
	[1-2] Progress a partnership with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and continue to progress "decolonising" Bundoora Park	Progress a partnership with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and continue to progress "decolonising" Bundoora Park	Work continues on the Bundoora Park Truth-Telling display in consultation with the Wurundjeri Woi wurrung Elders.		On Track

 Completed
  On Track
  Delayed

COUNCIL PLAN ACTION PLAN



H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-3] Deliver initiatives that support truth telling, and provide opportunities for culturally diverse communities, and our broader Darebin community, to learn about Aboriginal and Torres Strait Islander culture and history	Deliver initiatives that support truth telling, and provide opportunities for culturally diverse communities, and our broader Darebin community, to learn about Aboriginal and Torres Strait Islander culture and history	We are in the 7th Year of the Schools Yarning Conference to be delivered at Bundoora Park, which includes Darebin schools Year 5. The Schools Yarning Conference supports all schools to embed teaching Aboriginal and Torres Strait Islander cultures and Truth-Telling about Australia's history of colonisation. This year's theme is 'Keep the Fire Burning - Blak, Loud and Proud'.		On Track
	[1-4] Increase support to Aboriginal community-controlled organisations by incorporating a specific funding stream into our Community Grants Program	Implement the Aboriginal community-controlled Grants stream which was established in 2023-24	This grant round opened on 28 October. The delayed launch was due to Council election and caretaker period.		Delayed

1.2: We will develop partnerships with organisations from across our city, to value and include people from multicultural and diverse backgrounds

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-6] Support and promote a significant increase in participation in Darebin's sports clubs, in particular, for Aboriginal and Torres Strait Islander peoples, women, girls, people of all abilities, and multicultural and diverse communities	Support and promote a significant increase in participation in Darebin's sports clubs, in particular, for Aboriginal and Torres Strait Islander peoples, women, girls, people of all abilities, and multicultural and diverse communities	There are 5,031 registered 2024-25 annual and summer season participants, a 4% increase from the previous year. Participants include 905 from CALD backgrounds, 135 from Aboriginal and Torres Strait Islander backgrounds, and 381 from low socio-economic environments. To provide an opportunity for our community to try something new, Our Winter Get Active in Darebin program included free introductory activities like all abilities and carers pickleball, chair yoga, Go Soccer Mums, parents and bubs swimming, and barefoot bowls.		On Track

● Completed
 ● On Track
 ● Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-7] Encourage and reward sporting and leisure groups/sporting teams that use Council's recreation spaces, by reducing user fees to those that demonstrate inclusion for Aboriginal and Torres Strait Island peoples, women, girls, people of all abilities, and multicultural and diverse communities	Encourage and reward sporting and leisure groups/sporting teams that use Council's recreation spaces, by reducing user fees to those that demonstrate inclusion for Aboriginal and Torres Strait Island peoples, women, girls, people of all abilities, and multicultural and diverse communities	A full review of the program is being undertaken in 2024-25 as part of a wholistic review of relevant leisure-related policies. This review builds on previous benchmarking with other Councils and a club survey undertaken in 2023-24. Applications for the Performance Subsidy Program for Annual sports clubs were submitted in September.		On Track
	[1-9] Partner with Bowel Cancer Screening, Cancer Council Victoria and local community organisations to increase awareness of bowel cancer and improve community understanding, including for Aboriginal and culturally and linguistically diverse communities, of the benefits of screening, with a particular focus on underrepresented groups undertaking bowel cancer screening	Partner with Bowel Cancer Screening, Cancer Council Victoria and local community organisations to increase awareness of bowel cancer and improve community understanding, including for Aboriginal and culturally and linguistically diverse communities, of the benefits of screening, with a particular focus on underrepresented groups undertaking bowel cancer screening	Materials from Cancer Council Victoria were used to develop new social media posts with key messages that raise awareness of bowel cancer in the community. These messages will be shared on Council's social media platforms in 2024-2025 financial year.		On Track

● Completed
 ● On Track
 ● Delayed

COUNCIL PLAN ACTION PLAN

1.3: We will help to build an inclusive and empowered community, where social cohesion and community harmony are fostered



H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-10] Develop the Disability Action Plan to improve access to services and infrastructure for our residents and visitors	Implement the Disability Action Plan to improve access to services and infrastructure for our residents and visitors	The Disability Action Plan is progressing well, with a strong focus on accessible communication this year. Several areas, including Communications, Supported and Connected Living, and Diverse Communications, have made accessibility improvements and are implementing these across Council. The Darebin Intercultural Centre has automated the accessible toilet, purchased hearing loops, and commenced using Auslan interpretation for many programs, including the Cultural Diversity Oration. The Darebin Disability Advisory Committee has provided feedback on several important projects, including the new Council Plan, Route 86 Tram Accessibility Upgrades, and the new Hard Waste Trial. Planning for International Day for People with Disability is underway, with two community partnerships finalized and projects being delivered between December 2024-March 2025 in partnership with Darebin Libraries.		On Track
	[1-12] Develop and deliver a program to support middle years students (later primary school, and early secondary school-aged) from Darebin schools to connect with each other, and take action on systemic racism issues together, to support student voices	Undertake advocacy to seek funding to deliver anti-racism programs	The NAIDOC Yarning Conference 2024 was held on 22 October. Yarning Conference addressed systemic racism issues from Aboriginal and Torres Strait Islander lenses for 470 Year 5 students across 21 Darebin primary schools. The Antiracism Pilot Program Evaluation Report is being reviewed, including considering funding and partnership opportunities.		On Track

 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN



H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-13] Develop a Cultural Diversity Action Plan to improve access, participation and engagement of people from culturally and linguistically diverse backgrounds including:- <ul style="list-style-type: none"> • Access to venues and encourage participation in Council services where participation is low • Work with our sporting and recreation clubs to increase participation • Identify creative opportunities to reflect Darebin's different cultures in the built environment across our city • Work with our local organisations to create an active Community Leader network comprising community leaders from our culturally diverse communities 	Finalise a Cultural Diversity Action Plan to improve access, participation and engagement of people from culturally and linguistically diverse backgrounds including:- <ul style="list-style-type: none"> • Access to venues and encourage participation in Council services where participation is low • Work with our sporting and recreation clubs to increase participation • Identify creative opportunities to reflect Darebin's different cultures in the built environment across our city • Work with our local organisations to create an active Community Leader network comprising community leaders from our culturally diverse communities 	Early research and assessment work has been undertaken. Officers will recommend deferring completion of the Action Plan beyond 30 June, and this will be discussed with Councillors.		Delayed

1.4: We will embrace diversity and ensure everyone is included in our society, and no one is left behind - by combating discrimination, and championing equity, inclusivity and diversity



H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-14] Continue to become more LGBTIQ+ inclusive across Council's services and activities including work towards Rainbow Tick accreditation for several services	Continue to become more LGBTIQ+ inclusive across Council's services and activities including work towards Rainbow Tick accreditation for several services	The Rainbow Tick Accreditation Project work is continuing.		On Track

 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-19] Develop a Sexuality, Sex and Gender Diversity Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia	Finalise and commence implementation of an LGBTIQ+ Action Plan to support the inclusion, rights and wellbeing of LGBTIQ+ communities and work to combat homophobia, biphobia and transphobia	The first phase of community engagement was delivered, and feedback is being assessed. Officers will recommend deferring completion of the Action Plan beyond 30 June, and this will be discussed with Councillors.		Delayed

1.5: We will increase social connection to reduce isolation and loneliness, and support positive mental health


H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-20] Deliver Age Friendly Darebin and implement aged care reforms	Deliver Age Friendly Darebin and implement aged care reforms	<p>Age Friendly Darebin</p> <ul style="list-style-type: none"> Planning currently underway for an Age Friendly Darebin Roadshow that will strengthen relationships with internal teams and socialise the underpinning Age Friendly Darebin approach. <p>Aged Care Reforms</p> <ul style="list-style-type: none"> Commenced work with Whittlesea and Merri-bek Council on Extended Care Management and Clinical governance framework with ASPEX consulting Currently renegotiating scope of work with KPMG to incorporate revised service delivery cost model. Currently developing partnerships with Care Connect on continuity of care project Monitored Australian government policy developments, including new Aged Care Act Business Case lodged with Commonwealth for consideration of a higher unit price for Delivered Meals and Personal Care. Commenced tendering process for new meals contract for 24/25 and 25/26 Disestablished Regional Assessment Service 		On Track

 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-23] Provide grants, and deliver and facilitate programs, services, and events that address loneliness, through supporting social connectedness and positive mental health	Provide grants, and deliver and facilitate programs, services, and events that address loneliness, through supporting social connectedness and positive mental health	140 community grants applications were recommended for funding. This included 40 (28%) community groups assisted with grants to support mental health and wellbeing activities in Darebin.		On Track


1.6: We will ensure our festivals, events and functions are inclusive and respond equitably to, and value the diverse needs and aspirations of, our community

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-28] Deliver an annual cultural diversity and social cohesion oration as part of the FUSE festival	Deliver Molly Hadfield cultural diversity and social cohesion oration.	Planning for the oration will be commencing soon.		On Track
		Deliver new multicultural oration	Planning has commenced for this multicultural forum. With less budget allocated this year, a more forum-style event is planned. Scheduled for 21st May 2025.		On Track
	[1-29] Deliver a signature cultural event as part of the FUSE festival in and around the grounds of the Bundoora Homestead Art Centre that showcases culturally diverse artists, music, food, participatory workshops and performances.	Deliver annual FUSE Festival model	Planning for the festival will be commencing soon.		On Track

● Completed
 ● On Track
 ● Delayed

COUNCIL PLAN ACTION PLAN

1.7: We will continue to be a local government leader in the prevention of violence against women, and gender equity







H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-30] Implement and extend our Gender Equality and Preventing Violence Against Women Action Plan, using an intersectional approach	Extend the implementation of our Gender Equality and Preventing Violence Against Women Action Plan, using an intersectional approach	Darebin's first Free from Violence Cultural Inclusion Officer commenced in August, funded by the State Government. The role of this position will be to lead the implementation of the State Government's Free from Violence Local Government Program at Darebin City Council from 2024-2027. Both the Family Violence Network and the Gender Equity Advisory Committee convened in Q1. The 16 Days of Activism Against Gender-Based Violence program was also developed.		On Track

1.8: We will work towards a discrimination-free, and systemic racism-free Darebin, and reduce the impact of poverty and disadvantage

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-34] Address inequities in the distribution of resources, and ensure the needs of our most vulnerable people are prioritised by implementing our Towards Equality Framework	Address inequities in the distribution of resources, and ensure the needs of our most vulnerable people are prioritised by implementing our Towards Equality Framework	The Towards Equality Framework (TEF) continues to be implemented, principally through the application of the Equity Impact Assessment (EIA) that helps embed equity into major Council decisions. This process also includes the legally mandated Gender Impact Assessment (GIA). In Q1, five EIAs were undertaken on a range of projects, plans, and policies. The internal EIA Panel is also providing on-going advice and support for developing the 2025-29 Integrated Strategic Planning & Budget Project - Council Plan, Municipal Public Health and Wellbeing Plan, 10 Year Financial and Asset Plan.		On Track

 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN





H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[1-35] Work with the Darebin Ethnic Communities Council, our community, and local organisations, to foster respect and address systemic racism	Work with the Darebin Ethnic Communities Council, our community, and local organisations, to foster respect and address systemic racism	Work has started on an Antiracism booklet, in collaboration with Hume, Merri-bek, and Whittlesea Councils. Other work includes: supporting the Nuba Omarang Association of Victoria is organising their youth conference 2024; providing interim support to AMES, the InterCultural Centre Open Access Program.		On Track
	[1-36] Continue to implement the Welcoming Cities Standard, with the aim of becoming a 'Mentoring' level Council	Monitor the progress of improvement actions from the Welcoming Cities evaluation report	In August, Council was awarded the Excelling Welcoming Cities Accreditation, which was an Australian first. Welcoming Cities accreditation recognises the commitment local government organisations make to advancing inclusion in their community. The recognition of accreditation at the Excelling level highlights Council's reputation as a sector leader in welcoming and inclusion practice, programs and initiatives.		On Track
	[1-38] Mitigate the impacts of climate change on the health and wellbeing of our disadvantaged communities	Through the implementation of the year 1 actions of the Climate Emergency Plan, mitigate the impacts of climate change on the health and wellbeing of our disadvantaged communities	Through the delivery of the Climate Emergency Plan, and in preparation for the summer, work has started on promoting cooling centres and other heat safety tips through the heat health campaign. This campaign has a target audience of community members experiencing disadvantage.		On Track

● Completed
 ● On Track
 ● Delayed

COUNCIL PLAN ACTION PLAN



2.0: Prosperous, Liveable and Flourishing

2.1: We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-2] Redevelop Reservoir Leisure Centre, incorporating opportunities to enhance health, wellbeing and socioeconomic outcomes	Undertake minor renewal works while continuing scoping for the longer-term redevelopment of the Reservoir Leisure Centre to enhance health, wellbeing and socioeconomic outcomes	Priorities for minor renewal works have been identified and are currently being scoped and costed prior to any works commencing. The focus is on high priority works to keep the facility functioning. Community engagement for the RLC Scoping Study has been completed and results are being analysed prior to presentation to Councillors.		On Track
	[2-3] Invest in the Edwardes Lake Boathouse in Reservoir to support a long-term lease arrangement	Continue to advocate to the descendants of the original owner to remove the restrictive covenants so appropriate renewal works of the boat house can occur	Council has made contact with UK Lawyers acting on behalf of the beneficiaries of the original owner and are working towards removing the certain restrictions to enable the activation of the Edwardes Lake Boathouse. This process is expected to take some further time and it is very difficult to estimate quite how long will be needed. It is progressing and will continue to be progressed.		On Track
		Undertake a broad Expression of Interest process to identify interested parties and proposed uses (commercial, community or recreational) for the facility and provide an opportunity for the community to provide feedback about the uses they would like to see and any issues for Council to consider.	Planning and preparation is underway for the EOI process which is scheduled for March 2025. Specific timing of the EOI roll out is currently being finalised.		On Track



 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-6] Expand funded 3-year-old kindergarten	Expand kindergarten places in areas of greatest unmet demand; including work in partnership with State Government to deliver additional Kindergartens on School Sites (KOSS)	The expansion of funded three-year-old kindergarten is an ongoing Council priority, with funding allocated in Council's Capital Works Plan over the next three financial years to continue delivery of this priority. Two projects are being delivered through the Building Blocks Partnership between Council and the Department of Education. The Stage 1 expansion of Merri Community Child Care and Kindergarten was completed in September 2024. The expansion of Maryborough Avenue Kindergarten is in development and expected to commence January 2025.		On Track
	[2-9] Redevelop KP Hardiman Pavilion in Kingsbury	Commence construction of the KP Hardiman Pavilion	Council officers have scheduled to advertise the tender for construction of the new KP Hardiman Reserve Pavilion on the 6 October 2024, with the aim of commencing construction works in early 2025.		On Track

 Completed
  On Track
  Delayed







COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-11] Develop an Integrated Families, Youth and Children Strategy	Complete the Integrated Families Youth and Children Strategy and present to Council for adoption	<p>Council endorsed the Families, Youth and Children Strategy on the 26 August 2024.</p> <p>The Strategy outlines four Guiding Principles and five Action Areas that were developed through a highly collaborative process that involved over 1000 children, young people, family members, partner organisations and stakeholders.</p> <p>Next steps include:</p> <ul style="list-style-type: none"> Design of an engaging public facing version of the Strategy that is attractive and user friendly for the community and stakeholders, including young people. Development of a child-friendly version of the Strategy to communicate of the Strategy to children. Continuing our ongoing collaborative work with stakeholders to develop the first Council and Partner Collective Action Plan to implement the Strategy. 		Completed
	[2-13] Plan for the redevelopment of John Hall pavilion and public toilet in Kingsbury	Complete construction of the John Hall Pavilion	Construction of the new John Hall Pavilion is underway. Construction and budget are on track. The redevelopment includes the demolition of the existing pavilion and provision of a new pavilion in generally the same location, with upgrades to the public toilets, associated facilities and amenities including, two change rooms, two referee changerooms, social space, kitchen/kiosk, accessible amenities, first aid and storage.		On Track

 Completed  On Track  Delayed






COUNCIL PLAN ACTION PLAN

2.2: We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-15] Improve road safety, and the cycling, walking and wheeling network, by constructing high priority improvements	Improve road safety, and the cycling, walking and wheeling network, by constructing high priority improvements	Work has commenced on the road safety and access improvement projects that are planned for this year. The project that has started is the new raised children's crossing on Clifton Grove in Preston. The other projects are in the procurement stages.		On Track
	[2-16] Investigate and prioritise road safety, accessibility, cycling, walking and wheeling improvements across Darebin by using a Local Area Placemaking approach - where one third of the city is reviewed, with community involvement, each year	Investigate and prioritise road safety and strategic transport improvements across Darebin by using a Local Area Placemaking approach - where one third of the city is reviewed, with community involvement, each year	Group C of Council's 'Your Street Your Say' program will be investigated in the 2024/25 financial year. Group C will include the area of Northcote West, Preston East & Reservoir East. Stage 1 consultation will commence later this year.		On Track
	[2-17] Develop and implement a Community Safety Framework	Finalise and commence implementation of the Community Safety Framework	The Community Safety Framework PACE (Policy, Assessment, Commitment, Evaluation) model Stage 1 was finalised and presented to Council on the 15 July 2024. Stage two has commenced, and plans are underway to complete an EIA (Equity Impact Assessment) and community engagement. Temporary Agency Community Safety Officer commenced October 2024. Handover of Officer and work to Coordinator City Design 14/10 due to new operational model.		On Track


 Completed  On Track  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-19] With State Government approval, reduce the speed limit in more local streets across our city	With State Government approval, reduce the speed limit in more local streets across our city	<p>Speed limit reduction applications were submitted and approved for the following areas:</p> <ul style="list-style-type: none"> - The area bordered by Gilbert Rd, Bell St, Murray Rd & Elizabeth St. - Extend 40 Km/h in Gilbert Rd between Burgess Street and Kendall Street. - Extend 40km/h on High Street, Reservoir to include the Crawley St intersection. 		On Track
	[2-21] Develop a Community Infrastructure Plan to inform Council's decision making on the future of our assets, based on service needs across our city for the next 10 years	Finalise the draft Community Infrastructure Plan	A high-level needs assessment has been undertaken across Council's community infrastructure types. Preparation has commenced for collection of detailed data at the individual facility level to inform the draft strategy.		On Track
	[2-23] Update flood risk assessments across Darebin, and incorporate them into our Darebin Planning Scheme	Continue to work with Melbourne Water to implement and apply the updated flood mapping for Darebin, including incorporation into the planning scheme	Officers are meeting regularly with Melbourne Water counterparts on the progress of the updated flood mapping and the process for implementing new planning scheme controls.		On Track
	[2-24] Continue our Traffic Blackspot Design and Construction Program	Develop at least two scoping reports for submission to the Federal Blackspot program targeting places with history of crashes	Road safety audits and crash data for the last 5 years in Darebin has been assessed for risks and groups of similar types of crashes. There have been two locations identified; Edwardes Street at Banbury Road, and Dundas Street at St David Street and Hotham Street. Scoping reports have been submitted to the Federal Blackspot program for 100% funding to design and install safety changes at these locations. Community consultation and works would progress in the 2025/26 financial year if successful.		Completed

● Completed
 ● On Track
 ● Delayed


COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-30] Undertake a review of the General Local law	Complete the review of Darebin's General Local Law and present to Council for adoption	Assessment and development work has been undertaken, and a Council report regarding community consultation will be tabled at the December Council meeting.		Delayed

2.3: We will facilitate more affordable, social and public housing in Darebin, to meet our community's needs

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-31] Enable and facilitate more affordable and social housing across our city	Complete the Housing Strategy and report to Council on opportunities for more affordable and social housing	Consultation on the Draft Darebin Housing Strategy was completed on 13 September 2024. Council will next consider submissions before finalising Parts 1 and 2 of the Strategy.		On Track
	[2-32] Partner with the State Government to ensure its social and public housing investment meets our community's needs, and creates liveable, connected communities through appropriate design and construction	Continue to negotiate with developers for the inclusion of social and public housing as part of major developments	Council officers and management have been raising this as a priority with applicants during negotiations on larger scale development projects.		On Track



2.5: We will invest in services and the built environment to improve access for our residents and visitors

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-39] Create additional accessible car parking spaces in our city	Construct at least two accessible car parking spaces	Contracts have been awarded for construction of two new accessible parking bays in Collins Street Thornbury outside Penders Park. These will be completed by end of October 2024. A third accessible parking bay will be constructed as part of the John Hall Reserve Pavilion construction in Kingsbury to be completed by May 2025.		On Track

● Completed
 ● On Track
 ● Delayed

COUNCIL PLAN ACTION PLAN

2.6: We will support the human rights, housing and wellbeing needs of our people experiencing homelessness

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-40] Deliver programs that support people sleeping rough and experiencing homelessness including Assertive Outreach and advocate for funding for Towards Zero	Deliver programs that support people sleeping rough and commence the establishment of a Towards Zero program for Darebin	Council continues to deliver the Darebin Assertive Community Outreach Program and the Community Shower Access Program for people experiencing homelessness in Darebin. Establishment of the Towards Zero Program is on hold pending successful recruitment for the 'Strategic Project Officer - Towards Zero' role.		On Track

2.8: We will advocate to reduce the harm associated with electronic machine gambling, alcohol and tobacco

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-47] Support partner and local community organisations, groups, and clubs, to deliver initiatives that encourage the cessation of vaping and smoking	Support partner and local community organisations, groups, and clubs, to deliver initiatives that encourage the cessation of vaping and smoking	Campaign materials in development include campaign videos (in English with Arabic subtitles, Mandarin and Vietnamese), social media tiles and sample captions (in Arabic, Simplified Chinese and Vietnamese), posters (in Arabic, Simplified Chinese and Vietnamese) and sample copy for your website/newsletters (in Arabic, Simplified Chinese and Vietnamese).		On Track

● Completed
 ● On Track
 ● Delayed



COUNCIL PLAN ACTION PLAN

2.9: We will leverage investment, partnerships and advocacy to drive Darebin’s growth and sustainability and ensure Darebin is a great place to do business

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-48] Develop an Economic Development Strategy, based on the principles of a circular economy, food, health, renewables, creative and digital industries, jobs of the future, and leveraging partnerships	Undertake further consultation and engagement on the Economic Development Framework Present Economic Development Strategy to Council for adoption. Commence delivery	Final consultation activities occurred during July to finalise the draft Economic Framework that was presented to Council in August. A workshop with representatives who have been contributing towards the development of the Framework confirmed the draft was evidence-based, relevant to the Darebin context, both aspirational and practical in nature. Planning is underway to map out a series of engagement activities on the draft for potential partners, businesses and sector representatives to take a final version of the Economic Framework and action plan to Council in April 2025.		On Track




 Completed
  On Track
  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-49] Invest in economic reactivation and recovery initiatives to support existing and new industries, to ensure Darebin's economy is robust and resilient	Plan for place revitalisation of Darebin's key activity centres and review of Council's Active Spaces program to ensure Darebin's economy is robust and resilient	<p>Funding for the review of Active Spaces was gained in the 24/25 budget to review the program and develop options for its reestablishment beyond Active Windows. The review of the program is designed to provide Council with an understanding of the needs within Darebin retail strips for this program, address legal and regulatory concerns, and devise a refreshed program for Council to consider.</p> <p>A PACE (Policy, Assessment, Commitment, Evaluation) model for a Place-based revitalisation strategy has been developed to reflect progress to date and seek executive leadership team approval in September to move to Stage 2. Significant community consultation on the draft Economic Framework has been undertaken with the community, businesses, and partners. Their needs and feedback will be incorporated into further research and development of the draft Strategy during October-December (during caretaker period). When communications can resume, the ideas and opportunities will be tested further.</p>		On Track
	[2-50] Continue to implement our Social and Sustainable Procurement Policy to increase the engagement of Aboriginal-led businesses, and focus on job creation for culturally and linguistically diverse peoples, and young people	Review, amend and adopt our Social and Sustainable Procurement Policy to increase the engagement of Aboriginal-led businesses, and focus on job creation for culturally and linguistically diverse peoples, and young people	<p>A review of the policy will commence in October. Initial engagements will include targeted stakeholders and all managers across Council to collate ideas, gaps and considerations to improve the policy deliverables. The Executive Leadership Team will also consider options and recommendations collected from stakeholder engagements, A Councillor Briefing and adoption of a revised policy is planned for the 1st Quarter in 2025 calendar year.</p>		On Track

 Completed
  On Track
  Delayed

COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-51] Build partnerships across all levels of government and the private sector, to attract new industries and investment into Darebin, to support its future growth	Build partnerships across government and the private sector, to attract new industries and investment into Darebin, to support its future growth	Activities during this period include: finalisation and launch of the Northern Innovation and Sustainability Precinct (NISP) opportunities statement to advocate for funding and investment into this north-eastern precinct of Darebin. Funding submissions are underway to gain investment from Federal Govt. Mapping is occurring to develop a series of engagements with key partners, stakeholders, large employers, and aligned businesses in Darebin to progress the lighthouse projects suggested within the draft Economic Framework. These conversations will occur after caretaker period concludes and the team have mapped the opportunities.		On Track
	[2-53] Catalyse new jobs at scale in Darebin with businesses, new industry attraction and our partners - including Jobs Victoria Advocates - focusing on jobseekers facing multiple employment barriers including culturally and linguistically diverse peoples, young people, women, and Aboriginal and Torres Strait Islander peoples	Catalyse new jobs at scale in Darebin with businesses, new industry attraction and our partners focusing on jobseekers facing multiple employment barriers including culturally and linguistically diverse peoples, young people, women, and Aboriginal and Torres Strait Islander peoples	The First Nations Employment Network has met twice, with internal collaboration and input from across Council Depts and investment in key stakeholder relationships. Council supported and promoted the Be Deadly Jobs Expo hosted by the Aboriginal Advancement League for SYC (a local job service provider) where 45 employers that had employment opportunities for Aboriginal people were available for job seekers to speak to directly. Council participated in the NCAT girls in trade project steering committee meeting where the group reviewed the Recruitment Strategy Agreement that outlined a Code of Respectful Conduct for all organisations to sign if they intended on taking students into their workplace. Further planning for the role of Council in relation to employment opportunities and jobseeker support is being considered as part of the current Economic Framework action plan development.		On Track

COUNCIL PLAN ACTION PLAN

2.11: We will improve the sustainability, accessibility, and design of development on private land in our city





H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[2-64] Review our Housing Strategy and planning zones including engaging with our community on where housing and development should be, and strengthening neighbourhood character provisions	Commence a planning scheme amendment to implement the recommendations of the Darebin Housing Supply and Demand and Neighbourhood Character Study.	The community engagement on the Draft Housing Strategy finished on 13 September 2024 and officers will analyse submissions to feed into the next stage of work.		On Track
	[2-65] Complete major planning reform work to: <ul style="list-style-type: none"> Introduce an open space levy to fund open spaces in our city Introduce a Developer Contributions Scheme to help fund infrastructure for our growing population Establish Heidelberg Road Corridor controls Establish Thornbury Park Heritage Estate controls 	Progress a planning scheme amendment to deliver an interim 5% Open Space Levy	Planning Scheme Amendment C210dare is progressing well with an independent panel hearing held in September. Next steps are for Council to consider recommendations of the panel and make a decision to adopt the amendment.		On Track
	[2-66] Complete our Central Preston Structure Plan	Work with the State Government to finalise a Central Preston Structure Plan	In August Council endorsed a set of advocacy principles for Preston Central which have been used to progress technical feedback to the State Government during caretaker. The State Government undertook consultation for Preston during the caretaker period, and information can be found at https://engage.vic.gov.au/project/activitycentres/page/preston .		On Track

 Completed  On Track  Delayed


COUNCIL PLAN ACTION PLAN

3.0: Climate, Green and Sustainable

3.1: We will adapt to climate change and build the resilience of our community, infrastructure and the built environment, with a focus on our vulnerable communities at risk of fuel poverty, and flooding

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[3-1] Through our Solar Saver 4-year program, support solar installation and energy efficiency retrofits for our vulnerable households, including public and social housing, and renters	Commence implementing the new Climate Emergency Plan including supporting residents to switch to electrical equipment through the revised Solar Saver program	Officers are undertaking a rigorous process to determine the electrical equipment offering through the Solar Saver program.		On Track
	[3-3] Support our community members experiencing fuel poverty, to prevent heating and freezing	Support our community by delivering the heat health and fuel poverty first year actions in the renewed Climate Emergency Plan	Darebin's Solar Saver program is now open to households with income of up to \$160,000 and system sizes of up to \$10,000. Efficient electric hot water products will be available soon in addition to the heater / air-conditioners and solar system products.		On Track

3.2: Aim to achieve 12% canopy cover on Council owned and managed land by 2025, prioritising catchment biodiversity and shopping areas


H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[3-8] Acquire land to create new parks	Undertake site investigation works at Clements Reserve as required by the Environmental Action Notice and subsequently undertake the required remediation works to remove contamination	A suitably qualified consultant has been engaged to install monitoring equipment and testing has started.		On Track

 Completed  On Track  Delayed



COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
		Continue to progress the acquisition of the three parcels of land at Clements Reserve from the Department of Transport and Planning	The acquisition has been re-sequenced to occur after remediation works at the site and it has therefore been delayed to a future year. Work to progress environmental assessment and remediation is underway and being led by the Department of Transport and Planning (DTP) with engagement with Council. The specific stages and timeline are hard to predict as they will be determined by detailed assessments that are in progress.		Delayed

3.3: We will drive significant improvements in water quality and biodiversity across Darebin, designating Edwardes Lake as a flagship project to demonstrate water recreation (in the long term)

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[3-11] Establish and adequately resource the Edwardes Lake Taskforce to significantly improve the water quality and amenity of Edwardes Lake in Reservoir	Continue to monitor the health of the lake and invest in activities that improve water quality (as recommended by the taskforce)	Recent activities include water monitoring, revegetation, cleaning of the Gross Pollutant Trap (GPT), continued planning for the GPT deployment, discussions on stormwater management alternatives and considerations about risk, preparedness, and collaborative response to pollution events.		On Track

3.5: We will reduce waste and stimulate a local circular economy, where waste resources are re-used rather than discarded

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[3-16] Develop a plan to respond to new State Government requirements for contaminated land	Finalise and implement the Contaminated Land Framework	Council is actively working on an environmental risk and compliance approach for Council that addresses contaminated land. Work is progressing towards a management framework for Council.		On Track
	[3-18] Undertake waste reform and take action towards establishing a circular economy	Prepare for and deliver review of the kerbside waste services including glass	Kerbside waste service community consultation was completed in late 2023. Internal assessment and review is underway.		On Track

COUNCIL PLAN ACTION PLAN

4.0: Responsible, Transparent and Responsive

4.1: We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-2] Develop and implement an Advocacy Framework and four year Advocacy Plan, informed by our Council Plan priorities, aimed at influencing public policy change and attracting support and funding for our priorities including:• Investment in early intervention and tertiary mental health services• Dedicated sexual and reproductive health service in the Northern region• Key transport priorities• Increased funding for road safety infrastructure, driver behaviour and law enforcement• Towards Zero approach to address homelessness• Local Economic Development priorities• Protection of Strathallan as public land• Community and business use of energy efficiency initiatives• Higher and mandatory Environmentally Sensitive Design (ESD) standards in building and planning controls	Develop and implement an annual statement of advocacy priorities including: <ul style="list-style-type: none"> Investment in early intervention and tertiary mental health services Dedicated sexual and reproductive health service in the Northern region Key transport priorities Increased funding for road safety infrastructure, driver behaviour and law enforcement Towards Zero approach to address homelessness Local Economic Development priorities Protection of Strathallan as public land Community and business use of energy efficiency initiatives Higher and mandatory Environmentally Sensitive Design (ESD) standards in building and planning controls 	Early work has started on developing an annual statement.		On Track

 Completed
  On Track
  Delayed




COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-3] Develop a Revenue and Rating Plan that supports the Financial Plan and ensures fee structures support the most disadvantaged within our community, providing a guide to our budget decisions to ensure they are responsible and sustainable	Review the Revenue and Rating Plan in accordance with the Local Government Act and present to Council for adoption by 30 June 2025	At this stage, it is unclear whether a change to the Revenue and Rating Plan is required. As per section 93 of the Act, The Revenue and Rating Plan must be prepared and adopted by the next 30 June after a general election. This means, if no other change required, the next time the plan needs to be reviewed and adopted will be 30 June 2026. The only possible change may come from the Waste Charge if adjustments are made to include corporate overheads. This is a work in progress and may not be decided upon until after 30 June 2025.		On Track
	[4-4] Review our 10 year Financial Plan to ensure a level of revenue and expenditure that maintains a balance between service delivery, asset maintenance and renewal, and provides a strong, sustainable base for the future	Review the 10 Year Financial Plan in accordance with the Local Government Act and present to Council for adoption by 30 June 2025	Long term budget parameters, assumptions and proposed Budget Envelopes have been developed. To be presented to ELT 10 Oct 24. 2025-26 Budget Development approach and processes developed. Deliberative engagement blueprint has been drafted.		On Track

● Completed
 ● On Track
 ● Delayed





COUNCIL PLAN ACTION PLAN

4.2: We will ensure our assets are optimised for the benefit of our community

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-5] Review our Asset Portfolio, to ensure maximum benefit for our community is being realised, including the occupancy of unused and under-utilised Council buildings	Complete the Property Strategy	Development of a Property Strategy is progressing and next steps will be discussed with the new Council. In parallel, Council is identifying opportunities at specific sites that Council could consider as part of developing its new Council Plan in 2025. Foundational work to map Council properties is substantially complete. Next steps include work to better identify properties that are underutilised. Significant work will be completed in the 2024-25 year to inform the next Council Plan, however officers recommend that community consultation on the Property Strategy be done in a future financial year. To be discussed with Council in early 2025.		Delayed
		Commence work on the Master Planning of the site at 2 Wingrove Street, Alphington	Background work and project scoping of this new multi-year master plan project is being undertaken, including this year's focus on feasibility.		On Track
		Finalise a Lease and Licensing Policy, with consideration to the inputs provided through deliberative engagement to inform the Council Plan	Council consulted on a draft Lease & Licensing Policy in 2024. This feedback and next steps will be discussed with the new Council in early 2025. Council is preparing to seek leasees for a number of vacant Council buildings and properties in March 2025 through a publicly advertised EOI process. Considering the significant upcoming work in the first half of 2025 developing a new four year Council Plan and seeking tenants for Council sites, officers recommend deferring completion of this Policy to the second half of 2025 and this will be discussed with councillors. In the meantime, lease decisions will continue to be put to Council on a case by case basis.		Delayed

 Completed  On Track  Delayed




COUNCIL PLAN ACTION PLAN

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-6] Explore opportunities for Council owned and managed land (including airspace) to be used as temporary housing for people at risk or who are experiencing homelessness	Incorporate the consideration of temporary housing opportunities for people at risk or who are experiencing homelessness into the development of the Property Strategy for Council owned land	This will form part of the development of the Property Strategy for Council owned land. In March 2025, Council will seek Expressions of Interest for use of several Council sites including some suitable for temporary housing.		On Track
	[4-8] Improve delivery of our services to our community by developing an Asset Management Plan for Open Space, establishing a level of service for each class of our assets, and collecting data on our drainage assets	Continue to undertake drainage asset condition inspections to support the early detection of damage and deterioration	This work is on track. Preparation of the Quotation Plan and review of the technical specification has commenced.		On Track
	[4-9] Develop a 10 year Asset Plan in compliance with Local Government Act 2020 requirements	Review and update the Asset Plan in accordance with the Local Government Act and present to Council for adoption	The request for quotation for preparing the Asset Plan closed on 12 August 2024 and a contractor has been appointed to prepare the Asset Plan. The project kickoff meeting was held on 6 September 2024.		On Track

 Completed
  On Track
  Delayed

COUNCIL PLAN ACTION PLAN

4.3: We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-10] Transform our models of service delivery through the development of service profiles and conduct service reviews, to improve and ensure accessibility, inclusivity for under-represented groups and consistency of our customer experience	Conduct service reviews, to improve service delivery, drive efficiencies and improve customer experience	Five major service reviews are ongoing in this quarter including Complaints Management, Statutory Planning Service, Waste Customer Processes, Outdoor Dining and Footpath Trading and Small Business Approval Process (BAP). Complaints handling was completed in August and the BAP review is due to be completed in September. Complaints handling outcomes included better compliance and quality management, improved data integrity and process consistency, and increasing all staff and customer understanding of complaint processes. The BAP review recommendations refine the service delivery to produce a more consistent output with greater efficiency and an improved customer experience for small business permit applicants.		On Track
	[4-12] Develop and implement a new 4 year Organisational Strategy to deliver on Council Plan Strategic Direction 4 and other organisational improvement priorities in an integrated and efficient way	Implement year 2 actions of the Organisational Strategy that will deliver on Council Plan Strategic Direction 4 : Responsible, Transparent and Responsive, and drive organisational performance in an integrated and efficient way	Year 2 actions being priorities throughout Oct and Nov.		On Track
	[4-13] Establish a long-term investment in IT systems to improve our customer experience, enable our people and deliver effective governance, compliance, improved data and cyber risk management	Complete the procurement process for the ERP program and commence implementation	A procurement approach was endorsed by the Digital Transformation Steering Committee in September 2024. The approach will procure a Delivery partner in FY 24/25 and complete a planning phase and move to commence Technology partner procurement in FY25/26.		On Track

COUNCIL PLAN ACTION PLAN

4.4: We will improve the effective governance and public accountability of Council

H&W	Strategic Action	Action	Comments	Status	Status Explanation
	[4-14] Improve effective governance and accountability of Council	Provide regular reporting to Council to improve transparency on matters including: the status of Council resolutions, the number of Notices of Motion, training undertaken by Councillors, the number of complaints received - customer complaints and complaints about Councillors, matters referred to or received from integrity agencies and the cost of Councillor Conduct matters.	Regular reporting on a range of governance matters occur via the Governance Report presented to Council every month.		On Track
		Promote the 2024 Council election to raise awareness for potential Councillor candidates across the municipality	Ongoing communications were published on both the Intranet page and Council webpage. Events run by external organisations such as VEC, MAV and VLGA have been promoted on Darebin social media pages. Darebin actively produced materials for the awareness campaign, including a case study video to encourage community members to consider nominating for Council.		Completed

 Completed
  On Track
  Delayed



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CAPITAL WORKS

Buildings and Operational Sites		
Building Renewal Program		
Air Conditioning Renewal - Northcote Library Main Cooling System Replacement	●	The Northcote Library site has been inspected in collaboration with the successfully appointed consultant. This meeting has found that the existing mechanical systems need to be upgraded to a two-package unit, along with an enhancement to the mechanical board.
Air Conditioning Renewal (Gas Removal stage 1) - Preston Library	●	The site has been inspected in collaboration with the consultant to define the project scope and ensure adherence to the allocated budget.
Airconditioning and Generator control upgrades	●	The emergency power supply at the Preston office precinct is supported by a large generator located in the car park. This funding will be used to upgrade the controls and automation, enabling remote monitoring of the generator and adding additional alarm and alert functions to ensure its reliability.
Asbestos removal at priority locations	●	Many Council buildings are aging, and approximately 80 of them contain hazardous construction materials. Funding has been allocated to prioritize safety work and, where possible, to remove and replace sections containing asbestos. Work has already been completed at BT Connor, Northcote Town Hall, and Preston Offices.
Bill Lawry Oval	●	The Bill Lawry Oval Pavilion Project has been revitalized to explore how the Council can effectively deliver a new pavilion for the community, ensuring value for money and maximum benefit for all residents of Darebin. Council officers have commenced internal stakeholder engagement. The next steps include feasibility studies and investigations of options.
Building Fire Safety Compliance works	●	Council has ongoing responsibilities to maintain fire safety compliance systems in community buildings. A priority list is being developed that includes upgrades to fire hydrants, installation of fire doors, and modifications to evacuation plans.
Darebin Childcare Centre - Veranda repairs	●	At the Darebin Childcare Centre, the rear veranda has rotted in sections, leading to persistent leaks into the building. Reconstruction works are progressing well and are expected to be completed by end of November 2024.
Darebin North-East Community Hub - New Fire Indicator Panel and smoke / fire detectors	●	The fire alarm system at the Darebin North-East Community Hub (DNECH) has reached the end of its useful life and has been triggering frequent false alarms. A new system has been designed and will be installed by February 2025.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
Building Renewal Program		
Electrical supply upgrade at Operations Centre (Stage 1)	●	Council’s Operations Centre currently relies on a limited power supply from the power authority, and as a large complex site, it will require ongoing investment to ensure continued service. A staged master plan outlining power requirements has now been received. The next step involves completing detailed design and documentation to determine the overall project budget.
Electrical switchboard upgrades	●	Funding has been allocated to address all non-compliance issues with electrical switchboards and to replace those that have reached the end of their life. A condition report is in progress, and work will be prioritized based on this assessment throughout Q3 and Q4 of 2024/25.
Electronic Security Systems & CCTV renewals	●	The existing security and access control systems in many Council-owned buildings are no longer supported and require complete replacement to maintain reliable security and access. Planning is well advanced to prioritize the most critical and high-risk sites.
Emergency and Exit Lighting Renewals - Preston Offices Precinct	●	Emergency lighting systems are vital for community buildings and require regular maintenance and renewal. A priority list is being developed to ensure that these systems comply with regulations and function properly during emergencies. The next phase will involve scheduling priority locations for upgrade and undertaking works for completion.
Emergency Power - new generator Preston Maternal Child Health	●	In the Council’s immunization service, based at the Preston Maternal and Child Health (MCH) services building, large volumes of high-cost vaccinations are stored in refrigerators that must maintain a consistent temperature to prevent spoilage. The current emergency generator, which powers these refrigerators during outages, is aging and poses a risk, necessitating replacement. Planning is well advanced, with installation scheduled for Q3 2024/25.
Jika Jika Community Centre flooring project stage 2 (construction)	●	This project includes the required foundation and flooring renewal for the Jika Jika Community Centre. Design and documentation has now been completed by the consultant, and a request for quotation for the required works will be sent in November with works programmed early in 2025.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
Building Renewal Program		
Kitchen appliance replacements as required	●	The Council owns and operates a number of commercial kitchen appliances, many of which are aging and in need of renewal. A priority list is being developed to assess the need for new purchases, considering repair costs and the remaining lifespan of existing appliances to ensure the best cost-benefit outcome. In this quarter, dishwashers were replaced at the Merri and Perry Street Childcare Centres, and a refrigerator was installed at Clyde Street Kindergarten.
Mains Electrical supply capacity upgrade - A H Capp	●	Design documentation has now been completed, and procurement activities will commence in October 2024.
Mains Electrical supply capacity upgrade - Crisp Park	●	The Project Team have prepared the relevant design documentation for the electrical supply capacity upgrade at Crisp Park. In next phase, Council Officers will progress the procurement process to appoint a suitably qualified contractor to undertake the works.
Mains Electrical supply capacity upgrade - JE Moore Park	●	Council Officers have received the revised tender documents from the successfully appointed consultant for the electrical capacity upgrade works at JE Moore Park. A fee proposal has been received from Jemena for the pit connection. Officers will now release the Request for Quote document to market and assess responses to appoint a contractor to complete works.
Northcote Library Air Conditioning Renewal	●	The Project Team have prepared a scope for the Northcote Library Air Conditioning Renewal project. The relevant internal approvals have been sought following internal stakeholder feedback. Two fee proposals have been requested from suitably qualified consultants from Council's relevant tender panel. One proposal has now been received and assessed. The second is expected to be received in the last week of October.
Painting and Flooring Renewals for Council buildings	●	This project allocates funding for the renewal or replacement of floor finishes and painting in Council-owned buildings. Initial investigations, including site visits and consultations with key stakeholders, have commenced for several locations. Ongoing or recently completed works within the project scope include new floor finishes at the Maternal Child Health Centres in Northcote and Preston, as well as at Thornbury Kindergarten.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
Building Renewal Program		
Plumbing - building renewal program at various locations	●	The Project Team have prepared the project scope and met with relevant internal stakeholders and scheduled works at numerous locations within the program. Plumbing works have now been completed at Bundoora Farm and in the roof of the northern section of the Northcote Townhall. Building renewal works have also now been scoped and awarded for the Preston Market.
Plumbing Renewal - Gas appliances removals (will mean Gas no longer at these sites)	●	Council Officers are in the process of updating site lists and verifying site equipment required for each project. Once this verification is complete, Officers will establish cost estimates for similar multi-site de-gassing operations. With this information, staff will create de-gas work packages, allowing us to prioritize high-amenity sites within our budget while also identifying locations that are easier to replace. This organised approach will enable us to make informed decisions about which sites to address first, based on their importance, practicality, and the available budget.
Removal of gas appliances at various sites		
Plumbing Renewals - New Roof (part ONLY) includes Gutters and Downpipes at IW Dole Reserve Pavilion	●	The IW Dole Reserve Pavilion Roof Replacement Project is moving forward with a review of its scope. The project team is currently assessing the potential for either partial or full roof replacement. The new roofing will comply with Darebin's Environmentally Sustainable Development (ESD) policy, incorporating updated and improved insulation. Engineering assessments are also in progress to identify necessary upgrades to downpipes and drainage systems. These initiatives aim to provide a modern, efficient, and sustainable roofing solution for the community building while minimizing disruption to users.
Plumbing Renewals - New Roof includes Gutters and Downpipes at Donald Street Community Hall	●	The Donald Street Community Hall Roof Replacement Project is advancing with a review of its scope. The project team is currently evaluating the feasibility of a full roof replacement. The new roofing will align with Darebin's Environmentally Sustainable Development (ESD) policy and will include updated insulation. Engineering assessments are underway to identify necessary upgrades to downpipes and drainage systems. These efforts aim to provide a modern, efficient, and sustainable roofing solution for the community hall while minimizing disruption to users.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
Building Renewal Program		
Preston City Hall toilet refurbishments	●	The Project Scope has now been prepared following discussions with relevant internal stakeholders. Due to the Local Government Elections, all works have been placed on hold until December 2024 to ensure the continuity of service and minimal community disruption. Works will be scheduled at a suitable time during the holiday period with an aim to see works completed before formal Council meetings recommence in 2025. Project Staff are currently working to schedule works with the successfully appointed contractor.
Preston offices precinct security and access control system renewal	●	The original electronic access control system is no longer supported and needs to be renewed to ensure its reliability. Upgrades have been completed at Ngarrindjeri Stadium, and work at the Preston precinct is progressing well, with completion expected in two weeks.
Upgrading accessibility to various buildings	●	In response to Council’s commitment to inclusivity and accessible access and sites throughout Darebin, Council have undertaken a review of Council owned building and identified those which pose a challenge to those living with a disability. A list of sites which require improvements has now been prepared and funding has been allocated to implement the necessary improvements. Works scheduled within this project include the automation of doors and the installation of non-slip surfaces, handrails, and signage. At this stage of the project, teams are focused on the scheduled improvements to the public toilets on Westgarth Street in Northcote and at Edwards Lake Park.
Darebin Furniture Purchases (including Libraries)		
Darebin Furniture Renewal Purchases (including libraries)	●	The Project Team have commenced meetings with the relevant internal stakeholders and external community groups to seek input for works to be included within the project. Request and recommendations are currently being assessed and triaged. The list includes works to address general wear and tear, damage and functional improvements to sites. All proposed works are being assessed and indicative costings are currently being prepared to ensure adherence with the budget available.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
DRRC Asset Renewal		
Pavement works at the Darebin Resource Recovery Centre	●	Darebin Resource Recovery Centre aims to improve both serviceability and longevity of the facility by replacing the existing gravel link with new concrete paving. Construction includes drainage improvements and reinforced concrete works. Tender specifications are now complete and scheduled to be publicly distributed in Q2
Funded Three-Year-Old Kindergarten		
Works to support Kindergarten expansion program	●	<p>New Kindergarten Design: Proposed kindergarten sites will be presented to the new Council later this year for their recommendation on which site should be redeveloped. The next steps involve procuring a design for the redevelopment.</p> <p>Maryborough Avenue Kindergarten Expansion: The Maryborough Avenue Kindergarten Expansion project is on track and Project staff are working to finalise the tender package for release later this year. Due to a revised timeline, the contract award has been rescheduled for Q3. The project sponsor team is actively seeking an alternative location for the kindergarten to relocate during construction. Promising discussions are underway with internal and external stakeholders and a decision will be made shortly.</p>
John Cain Memorial Park Female Change Facility		
John Cain Memorial Park Female Change Facility	●	Project Control Group which includes relevant internal stakeholders for collaboration and input into the project is formed. The Control Group have approved the proposal for an extension of the female change facility at John Cain Memorial Park. The project team have assessed site risks and prepared a management plan for the proposed new sewer connection. The project is tracking well.
John Hall - Pavilion Redevelopment		
John Hall - Pavilion Redevelopment	●	The construction of John Hall Reserve Pavilion is a priority project addressing the current gap in gender inclusive facilities for sporting clubs in Darebin. Construction began on site in August and is progressing well. Council officers are attending regular site meetings, reviewing contractor communications and keeping stakeholders informed of progress. The construction program is currently a couple of weeks behind due to authority delays. Completion is planned for April/May 2025. There have been no variations to date and the budget is tracking well.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
KP Hardiman Pavilion Redevelopment		
KP Hardiman Pavilion Redevelopment	●	This project is to deliver on Council’s action plan commitment to construct a new pavilion on the KP Hardiman Reserve. The new pavilion design has been prepared and aims to delivering a modern, functional, safe, welcoming, environmentally sustainable facility which tailors to an improved experience for both women and girls, all players, spectators, volunteers, coaches and officials. Works will include the demolition of the existing pavilion and teams are working with both internal and external stakeholders to ensure teams and not un-duly disrupted and can continue play. The tender for works has been prepared and advertised and will close at the end of October 2024. Construction works are expected to commence early 2025. The project is tracking well and is within budget.
Other		
10 CLEELAND ST CARPARK	●	Works at the carpark on 10 Cleeland Street includes asphalt improvement works and resurfacing, line marking and bollard replacement. The project scope is now prepared and approved following internal consultation with stakeholders and a contractor has been appointed following the procurement process. Construction works have been scheduled and are planned to commence in December 2024.
Additional skate park equipment for new site	●	The project team has been formed and the Project Manager has conducted site inspections and met with internal teams in order to prepare the project scope for additional stake park equipment Initial investigations are progressing well, and the final project scope is due to be completed in late 2024.
BR-3000- Dunne Street bridge wingwall repair	●	The bridge wingwall repair project at Dunne Street includes the replacement and reinstatement of wing wall and removal of some vegetation. Teams have met with the Parks team to scope replacement of any removed vegetation. Construction for works is scheduled to commence late 2024. The project is on track for completion in early 2025.
New music and sound production equipment	●	The renewal of the studio at the community hub has now commenced. The scope of works included within the program has been confirmed, and contractors have been engaged to begin minor works onsite. New music and sound equipment has been purchased with installation scheduled for completion by October 2024.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Buildings & operational sites		
Other		
RALPH ST CPK 3 CARPARK	●	The project scope for works at Ralph Street Carpark has been prepared and includes asphalt reinstatement works, water ponding management, and tree root surface reinstatement. The procurement process will begin in October 2024, with tenderers invited to issue their proposals in November 2024. Following an evaluation process, construction is planned to commence in December 2024.
Various improvements, to be prioritised	●	Council funding has been allocated and set aside this financial year for any unanticipated priority works identified throughout the financial year. This may include safety works, repair and improvements identified through the municipality. This funding source will be used for such projects and works will be planned and scheduled on a case-by-case basis.
Reservoir Leisure Centre		
Essential reactive maintenance works Reservoir Leisure Centre	●	Funding will be allocated to address essential maintenance and replacements to ensure the RLC remains operational for community use. At this stage of the project, automatic door systems have been installed, and structural reports have been completed.
Workplace Office Accommodation		
Workplace office accommodation	●	<p>The City of Darebin is currently conducting a staff accommodation assessment at the Preston site to optimise our workspace and enhance operational efficiency. This initiative will be implemented in two stages:</p> <p>Stage 1: Reorganising existing workspaces to align with our new operating model, which will foster better collaboration between related departments.</p> <p>Stage 2: Gradually implementing strategic physical improvements to our staff accommodation areas over time, ensuring they meet modern workplace standards and adapt to the evolving needs of the Council.</p> <p>These changes aim to improve our ability to serve the community by creating a more effective and suitable work environment for our staff.</p> <p>The project team have now met with the management and coordinator team to scope workplace adjustments and a project plan is being finalised.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

IT, Equipment, Collections		
Art collection acquisitions		
Art Collection Acquisitions - Bundoora Homestead Art Centre	●	A project team has now been formed and investigation and research has begun into local Darebin artists and works which may be suitable to be purchased for to grow the Darebin Art Collection. This process is progressing well, and a shortlist of options is being prepared. The project is on track for delivery.
Arts Venues Asset and Equipment Renewal		
Arts Venues Asset and Equipment Renewal	●	The project team have identified urgent matters to prioritised within the project. This includes equipment failure across sites. The project scope and plan has now been finalised and urgent repairs have been scheduled for completion during Q1 and Q2. All other non-urgent purchases will be procured and scheduled during Q3 and Q4. The project is tracking well and within budget.
Commission, construction and installation of Migration Artwork		
Commission, construction and installation of Migration Artwork	●	Council officers have been collaborating with the successfully appointed artist for the Migration public artwork to identify potential installation locations. The location options have been evaluated based on several criteria, including prominence, safety, accessibility, and the diversity of the audience. A report will be presented to the Council following the Caretaker period to confirm the preferred location for this artwork.
Darebin Libraries Product Purchases (Collection)		
Darebin Libraries Product Renewal Purchases (Collection)	●	The project scope has now been prepared and approved internally and the project is tracking well against the prepared timeline and budget. A comprehensive list of items to be renewed within the project has been developed and is on track to be completed by June 2025.
IT Improvement Program		
IT Improvement Program - Accelerated deployment: Development of ICT Capabilities of Meeting Rooms	●	The project team has been formed and the project scope for the development of capabilities of Council meeting rooms has been prepared. Works have been identified within the program and the project has begun and is on track.
IT Improvement Program - Accelerated deployment: Development and Enhancement of BI Reporting Functions	●	This project has been deferred this financial year due to organisational structural adjustments. The project will be re-established at a later date.

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

IT, Equipment, Collections		
IT Improvement Program		
IT Improvement Program - Bookings, Events and Ticketing Management Systems	●	The initial scope for the project has been prepared, and early discussions have identified the opportunity to expand the program. Preliminary assessments indicate that the project can be expanded within the allocated budget, and relevant approvals are currently being sought. This expansion aims to provide the best value for money and enhance overall organizational outcomes. Despite the adjustments to the scope, project staff are confident in their ability to deliver the project within the established timeline.
IT Improvement Program - Development and Enhancement of BI Reporting Functions	●	This project has been deferred this financial year due to organisational structural adjustments. The project will be re-established at a later date.
IT Improvement Program - Development of ICT Capabilities of Meeting Rooms	●	This project is on hold following a review of all current IT projects and available budgets and resources.
IT Improvement Program - Objective software upgrade	●	The project scope is current being prepared and works are planned and scheduled to be undertaken in Q3. The project team are confident the project will be completed within the relevant timeline and within the available budget.
IT Improvement Program - Software Licencing Improvements	●	A review of all IT licences has been complete and internal stakeholders have been consulted. Improvements within the program have been scheduled and are progressing well. An end-of-year review has also been scheduled.
IT Improvement Program - Website and Intranet upgrade	●	The Darebin website and intranet update project has now been successfully completed within budget.
IT Infrastructure Implementation		
IT Improvement Program - Accelerated deployment: Customer Data Management	●	A project plan has been developed and project initiation is pending based on the availability of the suitable resource to undertake works within the program.
IT Improvement Program - Addressing existing Cyber Security Risks	●	This is a critical project for Council's Information Technology team and internal collaboration is on-going to ensure cyber security risks are identified and risk mitigation plans implemented. The project is on-track and progressing well within budget.

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

IT, Equipment, Collections		
IT Infrastructure Implementation		
IT Improvement Program - Asset Management Systems Remediation	●	This project has not yet begun but has scheduled within the second half of this financial year.
IT Improvement Program - Customer Data Management	●	The project scope has been prepared and internal collaboration has begun to ensure the integrity and safety of customer data and privacy. Works are progressing well against both timelines and budgets.
IT Improvement Program - Deployment of ICT Packaging & Monitoring Tools	●	The project to improve the ICT packaging and monitoring tools has been scheduled for delivery and completion in Q3 of 2025
IT Improvement Program - Infrastructure improvement (Switch & hardware replacement)	●	The project scope for the infrastructure improvement works (Switch and Hardware replacement) has been developed and the relevant tender process is now complete. Equipment identified within the program has now been ordered and staff await delivery. Upon receipt, works will be scheduled. The project is tracking well, on time and within budget.
IT Improvement Program - IT Refresh (Laptops, Desktops and Mobile Devices)	●	A comprehensive list of items to be purchased within the program this year has been prepared and a procurement process has now been undertaken. Council Officers are working with the successfully appointed provider to arrange for delivery and supply of items within the program.
IT Improvement Program - Upgrade of important Applications (Pathway)	●	Council's Pathway application serves as a critical piece of software which supports staff to manage all enquires received from the community. The application updates will improve usability and functionality including Council's ability to report on customer service standards and response times. General user training has now been scheduled and is currently underway to ensure minimal disruption to the business following the update.
Pit Lid Renewal Program		
Replacing Broken Pit Lids throughout the municipality	●	Broken pit lids present a significant hazard to the safety of road users, including drivers, cyclists, pedestrians, and especially children. We prioritize addressing these hazards promptly, ensuring that repairs or replacements are carried out as quickly as possible within strict timeframes. All reported assets have been inspected, secured, and assigned to contractors for repair or replacement by urgent deadlines. Since the beginning of the financial year, more than 35 assets have been upgraded, replaced, or repaired to the highest standards.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

IT, Equipment, Collections		
Replacement of Mobile Garbage, Green Waste and Recycling Bins		
Replacement of mobile garbage, green waste and recycling bins	●	This program is dedicated to replacing damaged garbage, food organics and green waste (FOGO), and recycling bins throughout Darebin. To date, we have delivered 300 x 240L garbage bins, 300 x 240L green bins, and 200 x 240L recycling bins. An order has been placed for the remaining bins needed for the current financial year. The program is on track and within budget.
Vehicular Plant Replacement - Heavy Vehicle		
Replacement of fleet 564 (rear loader) for hard waste truck for dumped rubbish collection	●	Three garbage trucks, including one side loader and two rear loaders, have been identified for replacement in the current financial year. Orders have been placed for two garbage trucks, with delivery expected by March/April 2025. The tender for the third truck is scheduled to close on October 15, 2025. The remaining budget will be allocated to small plant and equipment, including trailers, mowers, and other necessary items. An order has been placed for one trailer, and a quotation request has been issued for an additional trailer. All fleet items are expected to be delivered by June 30, 2025.
Replacement of fleet 591 (side loader) for waste collection of garbage bins.		
Replacement of fleet 594 (side loader) for waste collection of garbage bins		
Replacement of parks equipment (mowers etc.)		
Vehicular Plant Replacement - Light Vehicle		
Additional funding to achieve appropriate renewal rate for size of fleet	●	Seven passenger cars have been identified for replacement in the current financial year. To date, six vehicles have been delivered, including three fully electric vehicles and three hybrid vehicles. A quotation has been received for the final vehicle, which is expected to be delivered in February/March 2025 due to longer wait times.
Replacement of light vehicle for Health Inspectors		
Replacement of light vehicle for Youth Services		
Youth Services Asset Renewal Program		
Decibels Music equipment and sound production equipment	●	An equipment list and procurement plan are being developed based on the services asset inventory spreadsheet. The plan is expected to be completed by October 2024.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Civic Square Northcote Town Hall		
Civic Square Northcote Town Hall essential design to address a structural renewal need	●	<p>This project focuses on the design and investigations needed for the Civic Square at Northcote Town Hall to address structural renewal requirements for the platform and suspended bridge. The asset has further deteriorated, necessitating complete replacement to minimise maintenance and extend its useful life.</p> <p>Site visits have been conducted, and key stakeholders have been updated on the project's progress. The next steps involve completing the request for quotation (RFQ) documentation and seeking expressions of interest from qualified consultants.</p>
Clements Reserve Remediation		
Clements Reserve remediation of Council owned portion	●	<p>This project is deferred until the Department of Transport Planning remediate the contaminated land that is part of the sale agreement with Council. Council staff are currently working with the State Government to understand how the works will impact the proposed timeline.</p>
Cricket Practice Nets and Cages		
TW Blake Cricket Nets	●	<p>This project involves the design and construction of proposed cricket practice nets located in the southeastern section of the existing sporting oval at TW Blake Reserve in Preston. Initial investigations, including site visits and geotechnical assessments, are currently underway, and stakeholders have been updated on the progress of the project.</p>
Drainage System Renewal and Upgrade Program		
Drainage system renewal & upgrade - 256 Plenty Road, Preston	●	<p>The design project at 256 Plenty Road, Preston, is part of a 10-year capital initiative aimed at mitigating flooding and water ponding issues. Currently in the design phase, Council engineers are assessing the extent of flooding and its potential impact on road infrastructure and nearby properties.</p> <p>The project design and scope of works have been reviewed, and a request for quotation (RFQ) will soon be issued to consultants for the design phase. The project remains on track, with no changes to the expected design completion date.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Drainage System Renewal and Upgrade Program		
Drainage system renewal & upgrade - 440 St Georges Road Thornbury	●	<p>The project aims to upgrade an undersized 600mm drainage pipe that has been contributing to flooding in the area between the Murray Street and St. Georges Road intersection and the Hutton Street and St. Georges Road intersection. Although the pipe is owned by VicRoads, increased runoff from local properties has rendered it inadequate, necessitating an upgrade by the Council.</p> <p>The primary goal of the project is to eliminate flooding while ensuring that no new issues are created downstream. The project is currently in the design phase, with the aim of completing the design by December 2024.</p>
Drainage system renewal & upgrade @ 19 Bourke Street, 13 Knox Street, 7 Dwyer Avenue, 5 Academy Avenue & 636 Gilbert Road Reservoir	●	<p>The aim of this project is to design a new drainage system or upgrade the existing drains in the area to alleviate flooding issues. This initiative is part of the 10-Year Capital Program. The goal for this financial year is to complete the detailed design. The project scope is now complete and relevant internal and external engagement has now taken place. This project is currently on track for delivery within the proposed timeline.</p>
Drainage system renewal & upgrade at Intersection Glasgow Avenue and Massey Avenue, Reservoir to Edgars Creek	●	<p>This project represents the continuation of the drainage upgrade following the Stage 1 works on Massey Avenue. The evaluation process has begun, and construction is scheduled to commence once Stage 1 works are completed.</p>
Drainage System renewal upgrade 5 Hartington St, Spain Crt, Potter Crt, Northcote	●	<p>This project represents the continuation of the drainage upgrade following the Stage 1 works on Massey Avenue. The evaluation process is underway, and construction is scheduled to begin once Stage 1 works are completed.</p> <p>This phase focuses on upgrading the existing drainage network in response to multiple flooding events in the area. Site visits have been conducted, and key stakeholders have been informed about the project's progress.</p> <p>Council staff are currently finalising the request for quotation (RFQ) documentation and will soon seek quotes from suppliers on the Council's panel for these works.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Drainage System Renewal and Upgrade Program		
New storm water pipe installation at Summerhill Avenue	●	<p>The project scope is currently being reassessed, as team discussions have suggested that a more cost-effective solution may be available. This alternative approach aims to minimize community impact while still achieving the desired outcomes.</p> <p>CRE, the original design consultancy, has conducted further survey work and will provide alternative options for the project scope.</p>
Repairs and upgrades to existing drainage network	●	<p>The repair and replacement of drainage assets are essential for maintaining the efficiency of the drainage network, particularly as infrastructure ages. This program is increasingly important as older assets require attention.</p> <p>In accordance with the allocated budget, a thorough investigation of flood hotspots and associated drainage assets is currently underway to prioritize which assets need replacement or relining. This will be conducted as part of a multi-year program.</p> <p>At the same time, we are engaging with specialized contractors to ensure we achieve the best results at a reasonable cost.</p>
Irrigation Upgrades and Renewals Program		
New sportsground irrigation system at D.R. Atkinson Reserve, Reservoir	●	<p>This project involves the installation of a new irrigation system at DR Atkinson Reserve in Reservoir.</p> <p>Site visits have been conducted with key stakeholders, and tenant sports clubs have been informed about the timing of the planned works. The project scope has been assessed, and preliminary irrigation plans and drawings have been completed for Parks approval. Once finalised, requests for quotations will be issued to our panel of specialist irrigation contractors.</p>
Sportsground irrigation system power upgrade at H.P. Zwar Park, Preston	●	<p>This project involves upgrading the electrical switchboard at Zwar Park in Preston.</p> <p>Site inspections have been conducted with internal stakeholders and contractors, and testing has been completed to assess the power demand required for a 3-phase power supply. Contractors are currently collaborating with the power authority, which will help establish the project delivery dates.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Open Space Improvements program		
Design and prepare for Edwards Lake water quality improvements for Edgers Creek Pollution Trap	●	<p>A meeting has been scheduled with Melbourne Water to discuss the documentation required for the instream asset removal process.</p> <p>Melbourne Water has confirmed the necessary documentation for this process and has identified potential consultants to be engaged before issuing quotations. Meetings have now been scheduled with the relevant stakeholders and following this process quotations will be issued.</p>
Native planting in second year to establish the Rewilding at various locations	●	<p>The last few remaining sites within the program are now scheduled to be planted in the coming weeks, with completion expected before the end of October 2024.</p> <p>Following this, we will transition to an ongoing plant establishment process, which will include maintenance and watering throughout the summer months.</p>
Project: Park Asset Gap Fill	●	<p>This program focuses on upgrading existing infrastructure and delivering new park assets throughout Darebin.</p> <p>Drainage upgrade works at East Preston Tennis are scheduled for October 2024. At A.G. Davis Playground in Preston, the rubber path will be extended to enhance accessibility, with works planned for November 2024. Significant improvements were completed on the Kingsbury Tennis Club fence in 2023/24, and a full renewal is no longer necessary.</p> <p>The signage at The Parade Playground in Northcote was completed in 2023/24 as part of the playground upgrade, and further updates are not required. Two new park seats at John Hall Reserve in Kingsbury have been scoped, and their locations have been determined, with installation planned for the third quarter of the fiscal calendar.</p> <p>At Bundoora Park Farm and Visitor Centre, the car park will receive new recycled plastic/timber bollards, with works scheduled for October/November 2024. This initiative marks the beginning of our transition from timber to recycled, sustainable infrastructure. Remaining asset upgrades will be planned, scoped, and contractors procured during the second and third quarters of the fiscal calendar.</p>
New Park fencing at Bundoora Park		
replacement of 2 Seats at John Hall Reserve Kingsbury		

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

Recreation & open space		
Open Space Improvements program		
Replacement of failed trees across the municipality due to extreme weather conditions, storm damage, vandalism or unexplained loss	●	<p>This project focuses on replacing failed trees throughout the municipality due to extreme weather conditions, storm damage, vandalism, or unexplained loss. It involves planting trees in the streetscapes of Preston and Reservoir to mitigate urban heat island effects, as well as filling gaps in various areas, including Thornbury, Northcote, Macleod, Kingsbury, Fairfield, Bundoora, and Alphington, to increase canopy cover across the entire municipality.</p> <p>To date, a total of 557 trees have been planted as part of the Tree planting project following an audit of Darebin streetscapes to identify which sites will be included in the program this year. The project is on track and within budget.</p> <p>Complying with the Council endorsed shading policy, officers have prioritised natural shade where appropriate to enhance canopy cover and create essential shading within the municipality. A total of 557 trees have been planted as part of the Tree planting project.</p>
Tree planting streetscapes in Preston and Reservoir to mitigate urban heat island effects		
Planting sites to fill gaps to increase canopy cover across the entire municipality (Thornbury, Northcote, Macleod, Kingsbury, Fairfield, Bundoora, and Alphington)		
Prioritization of areas where shade is needed along pathways and trails, playgrounds and other park assets to create shade ways and establish canopy cover		
Unallocated Projects	●	A project scope will be established after identifying the priority tasks identified throughout the year.
Oval and Sportsground Renewal and Upgrade Program		
Additional security measures for sportsground lighting at J.C. Donath Reserve, Reservoir	●	<p>This project aims to enhance security and safety at our parks and facilities, helping to mitigate damage, theft, and vandalism.</p> <p>At Cranross Tennis Club in Preston, car park lighting has been renewed, and safety entrance lighting is scheduled for installation in 2025. Additionally, alarm system installations are planned for the sports field lighting at J.C. Donath Reserve in Reservoir, and modifications will be made to one drainage pit and the pitch two fence infrastructure at B.T. Connor Reserve in Reservoir.</p> <p>Contractors are currently working on each of these projects, which are set to be completed during the 2024/25 financial year.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Oval and Sportsground Renewal and Upgrade Program		
Relocate the vehicle entry on pitch two at B.T. Connor Reserve, Reservoir	●	<p>This project aims to enhance security and safety at our parks and facilities, helping to mitigate damage, theft, and vandalism.</p> <p>At Cranross Tennis Club in Preston, car park lighting has been renewed, and safety entrance lighting is scheduled for installation in 2025. Additionally, alarm system installations are planned for the sports field lighting at J.C. Donath Reserve in Reservoir, and modifications will be made to one drainage pit and the pitch two fence infrastructure at B.T. Connor Reserve in Reservoir.</p> <p>Contractors are currently working on each of these projects, which are set to be completed during the 2024/25 financial year.</p>
Replace the drainage pit at B.T. Connor Reserve, Reservoir		
Design and prepare sportsground drainage renewal at G.H. Mott Reserve, Preston	●	<p>This project involves the design and preparation of sportsground drainage renewal at G.H. Mott Reserve in Preston, ground eight at J.C. Donath Reserve in Reservoir, and C.H. Sullivan Reserve in Reservoir.</p> <p>Initial investigations are well progressed for each site and meetings have been undertaken with key stakeholders. Following this process, a procurement process will commence to engage a suitably qualified designer from the Darebin Council Parks and Open Space Related Services tender panel.</p>
Design and prepare sportsground drainage renewal on ground eight at J.C. Donath Reserve, Reservoir		
Design and prepare sportsground renewal at C.H. Sullivan Reserve, Reservoir		
Remove the coach's box at L.E. Cotchin Reserve, Reservoir	●	<p>This project involves the replacement of coaches' boxes at Preston City Oval to ensure compliance with AFL guidelines, as well as the removal of a coach's box at Le Cotchin Reserve.</p> <p>Council has engaged with key stakeholders regarding the final design and selection of materials. The next steps include completing the request for quotation documentation and seeking expressions of interest from qualified consultants.</p>
Three new coach's boxes at Preston City Oval		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Oval and Sportsground Renewal and Upgrade Program		
Renew the turf wicket at Bill Lawry Oval, Northcote	●	This project involves the resurfacing of the turf wicket at Bill Lawry Oval in Northcote, aimed at improving its quality and durability. Project staff have actively engaged in consultations with key stakeholders to ensure the best outcome, and these discussions are ongoing. Both Cricket Victoria and the Northcote Cricket Club have been consulted extensively regarding the timing, scope, and potential impacts of the work. After thorough consideration, it has been determined that implementing a two-stage approach is best practice to minimise disruptions to play and ensure a seamless transition. Stage 1 of the project has now been successfully completed, addressing initial resurfacing needs. Stage 2, which will finalise the improvements, is scheduled to take place in late December 2024, aligning with the cricket calendar to reduce downtime.
Two new AFL goals for Preston City Oval	●	This project involves the installation of new goal posts at Preston City Oval. Site visits have been conducted with key stakeholders, and tenant clubs have been notified. The project scope has been defined, and two quotes have been obtained. A specialist contractor will be selected from Council’s Park and Open Space Related Services panel to carry out the work.
Park Asset Renewal Program including Drinking Fountains		
New amphitheatre seating at Bundoora Park Farm	●	This project involves the renewal and replacement of the Amphitheatre at Bundoora Park Farm. The scope of work and plans have been finalied, and we have received contractor quotations as well as planning approval from DEECA. Construction is scheduled to begin in November 2024, and stakeholders have been informed about the project timeline.
Renew multiple pedestrian and vehicle tracks at Edwardes Lake Park Reservoir, Strettle Reserve Thornbury; and Merri Park, Northcote	●	This project involves the renewal of multiple pedestrian and vehicle tracks at Edwardes Lake Park in Reservoir, Strettle Reserve in Thornbury, and Merri Park in Northcote. Site location inspections with internal stakeholders have now been progressed and an assessment of the project against the asset management levels of service for managed gravel pathways/access tracks has been undertaken.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Park Asset Renewal Program including Drinking Fountains		
Renewal of Shelter and sign at All Nations Park	●	The Parks Asset Renewal program is a core capital works commitment each year which aims to ensure Darebin Parks and Open Spaces at fit for purpose and comply to Darebin’s standards. The list of works for the 24/25 program has now been confirmed. As part of the program, Council will renew the shelter and signs at All Nations Park. A Briefing has now been undertaken on the required works and a project scope has been prepared.
Line mark the basketball key at Hartington St. Basketball Court, Northcote	●	<p>This project aims to renew existing park assets across our parks, reserves, and facility sites.</p> <p>Recently, three vegetable planter boxes have been replaced at Blake Street Kindergarten in Reservoir. Two drinking fountains have been ordered for Merri Park in Northcote and A.G. Davis Park in Preston, with installations expected to be completed in the third quarter of the fiscal calendar. Additionally, one drinking fountain has been ordered for Northcote Tennis, scheduled for installation in October/November 2024. A single BBQ has also been ordered for Edwardes Lake Park in Reservoir, with installation set for October 2024.</p> <p>Plans for the remaining park assets will shortly be developed, with orders placed and contractors procured during the second and third quarters of the fiscal calendar.</p>
New concrete pads for seating at Northcote Senior Citizens Centre		
New planter boxes at Blake St. Kindergarten, Reservoir		
New retaining wall seating at J.E. Moore Park, Reservoir		
One new basketball backboard, ring and net at A.G. Davis Park, Preston		
One new basketball backboard, ring and net at Pitcher Park, Alphington		
One new basketball backboard, ring and net at Shand Reserve, Reservoir		
One new bench seat along the Darebin Creek Corridor, Reservoir		
One new drinking fountain at A.G. Davis Park, Preston		
One new drinking fountain at Clifton St Northcote Tennis Courts		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Park Asset Renewal Program including Drinking Fountains		
One new entrance bollard at Bundoora Park	●	<p>This project aims to renew existing park assets across our parks, reserves, and facility sites.</p> <p>Recently, three vegetable planter boxes have been replaced at Blake Street Kindergarten in Reservoir. Two drinking fountains have been ordered for Merri Park in Northcote and A.G. Davis Park in Preston, with installations expected to be completed in the third quarter of the fiscal calendar. Additionally, one drinking fountain has been ordered for Northcote Tennis, scheduled for installation in October/November 2024. A single BBQ has also been ordered for Edwardes Lake Park in Reservoir, with installation set for October 2024.</p> <p>Plans for the remaining park assets will shortly be developed, with orders placed and contractors procured during the second and third quarters of the fiscal calendar.</p>
One new drinking fountain at Merri Park, Northcote		
Paint and refurbish the bridges at Ray Bramham Park, Preston		
Paint and refurbish two seats at Lakeview Tennis Courts, Reservoir		
Paint Park Table & Seats at H.L.T. Oulton Reserve Preston		
Two new basketball backboards, rings and nets at Judith Scott Memorial Park, Kingsbury		
Two new bench seats along the Darebin Creek Corridor, Kingsbury		
Playspace Renewal Program		
Judith Scott playspace - full renewal	●	<p>The project scope for the Judith Scott Memorial Park Playground renewal has now been completed and internal consultation with stakeholders has now taken place. Council is now seeks quotes from suitably qualified consultants from the Parks and Open Space Related Service panel who will shortly be appointed. The project is progressing well and within budget.</p>
Playspace - Batman - Replace Timber Uprights & Wood Repairs	●	<p>The Batman Playspace repairs will involve the restoration of timber posts at the reserve. Initial internal consultations have been completed, and the project scope is being finalised. Once this process is complete, a Request for Quotation (RFQ) will be distributed, and a contractor will be selected to begin the rectification works. The RFQ is on track to be released in November 2024, with repairs scheduled to take place in the new calendar year.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Playspace Renewal Program		
Playspace - Blake St Kinder - Swing	●	This project focuses on the renewal of equipment at various play spaces in Darebin. At Blake Street Kindergarten in Reservoir, the swings and surfacing have been successfully replaced. Additionally, a section of the rollover bars at Woolhouse Playground in Northcote has been removed and repaired to ensure proper functionality. Contractors have provided quotes for the surfacing work at Pearl Reserve in Thornbury. The works have now been scheduled for November 2024.
Playspace - Pearl Reserve - Swing Surface Repairs		
Playspace - Woolhouse (Croxtton School) - Replace Roll Over Bars		
Playspace - BP Farm Playground (ALL)	●	The rectification works for the playspace at the Bundoora Park Farm are progressing well and are in line with the program timeline. The project scope has been prepared and internal stakeholders are being consulted.
Polaris (Lancaster Gate) playspace - full renewal	●	The renewal works for the Polaris Playspace has now been handed over to the relevant Project Manager. A handover briefing has taken place and internal stakeholder consultation has now been scheduled. The project manager is currently preparing the EIA/GIA for the project.
Reservoir Leisure Centre Gym Equipment and Group Exercise Equipment		
Reservoir Leisure Centre: New Gym and Group Exercise Equipment	●	A business case has now been developed to explore opportunities for new equipment and services that align with the needs identified in the recent RLC member survey. Once the business case is finalised and approved, implementation of these enhancements will begin.
Sportsground Sub-surface Drainage		
AH Capp - drainage renewal	●	This project aims to renew and enhance the existing sportsground drainage system. Site visits have been conducted with internal stakeholders and contractors, and drawings and plans have been received. The project scope is currently under assessment to ensure optimal outcomes.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Recreation & open space		
Soil Contamination		
Various remediation sites	●	<p>Darebin Park Lands: Project scoping phase with Darebin Parklands Working Group to desilt the Bio-Filter Pond. Fuel Tank Removal: Bundoora Park fuel tank removal work will commence and have started procurement process. Remediation works of contaminated soil have been scheduled for the Darebin Park Lands and at Bundoora Park. Appropriate management and rectification plans have now been prepared to ensure any remediation methods are site specific and appropriate.</p> <p>Darebin Park Lands: The project is currently in the scoping phase with the Darebin Parklands Working Group, focusing on desilting the Bio-Filter Pond.</p> <p>Fuel Tank Removal: The removal of the fuel tank at Bundoora Park is set to begin, and the procurement process has now begun to engage a suitably qualified contractor to undertake the works.</p>
Synthetic Cricket Wicket Installation		
Replace the synthetic cricket wicket on ground five at J.C. Donath Reserve, Reservoir	●	<p>This project involves the installation of a new synthetic cricket pitch that meets Cricket Australia standards at Donath Ground 5. Site visits have been conducted with key stakeholders, and tenant clubs have been informed of the project. The scope has been defined, and surveying has been completed to ensure successful implementation.</p>
Transport, footpaths & streetscapes		
Footpath Renewal Program		
Additional segments to be nominated to accelerate addressing backlog		<p>This project encompasses both minor and major footpath renewal efforts designed to enhance safety and functionality within our municipality. The scope includes the repair and replacement of aging infrastructure. Construction activities began on Bastings Street, Northcote, on September 18, 2024, and are currently ongoing. One contractor is engaged, with additional contractors expected to begin work within the next 2-3 weeks. The Traffic Management company has submitted Memorandum of Authorisation (MoA) applications for roads managed by VicRoads, Council staff are currently awaiting approval.</p> <p>We anticipate that this project will be completed by the end of May 2025. This projection is in line with Council’s proposed timeline and set to comply with the available budget.</p>
Footpath Renewal - BARRY STREET, NORTHCOTE		
Footpath Renewal - BEACONSFIELD PARADE, NORTHCOTE	●	
Footpath Renewal - BROADHURST AVENUE, RESERVOIR		
Footpath Renewal - CLIFTON STREET, NORTHCOTE		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Footpath Renewal Program		
Footpath Renewal - EVANS CRESCENT, RESERVOIR	●	<p>This project encompasses both minor and major footpath renewal efforts designed to enhance safety and functionality within our municipality. The scope includes the repair and replacement of aging infrastructure.</p> <p>Construction activities began on Bastings Street, Northcote, on September 18, 2024, and are currently ongoing. One contractor is engaged, with additional contractors expected to begin work within the next 2-3 weeks. The Traffic Management company has submitted Memorandum of Authorisation (MoA) applications for roads managed by VicRoads, Council staff are currently awaiting approval.</p> <p>We anticipate that this project will be completed by the end of May 2025. This projection is in line with Council’s proposed timeline and set to comply with the available budget.</p>
Footpath Renewal - GILLIES STREET, FAIRFIELD		
Footpath Renewal - GLADSTONE AVENUE, NORTHCOTE		
Footpath Renewal - HAYES STREET, NORTHCOTE		
Footpath Renewal - HENRY STREET, NORTHCOTE		
Footpath Renewal - HIGH STREET, PRESTON		
Footpath Renewal - Kelvin Grv, THORNBURY		
Footpath Renewal - MERRI PARADE, NORTHCOTE		
Footpath Renewal - NORMANBY AVENUE, THORNBURY		
Footpath Renewal - REGENT STREET, PRESTON		
Footpath Renewal - ROSEBERRY AVENUE, PRESTON		
Footpath Renewal - TRUDGEON AVENUE, RESERVOIR		
Footpath Renewal - WILCOX STREET, PRESTON		
Further additional segments to be nominated to accelerate addressing backlog		

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Footpath Renewal Program		
Minor Footpath renewal works – reactive renewal		<p>This project encompasses both minor and major footpath renewal efforts designed to enhance safety and functionality within our municipality. The scope includes the repair and replacement of aging infrastructure.</p> <p>Construction activities began on Bastings Street, Northcote, on September 18, 2024, and are currently ongoing. One contractor is engaged, with additional contractors expected to begin work within the next 2-3 weeks. The Traffic Management company has submitted Memorandum of Authorisation (MoA) applications for roads managed by VicRoads, Council staff are currently awaiting approval.</p> <p>We anticipate that this project will be completed by the end of May 2025. This projection is in line with Council’s proposed timeline and set to comply with the available budget.</p>
Minor Footpath renewal works Andrew Street		
Minor Footpath renewal works Bastings St		
Minor Footpath renewal works Beauchamp ST		
Minor Footpath renewal works Bradshaw ST		
Minor Footpath renewal works Darling St		
Minor Footpath renewal works Grange BLvd		
Minor Footpath renewal works Hughes PDE		
Minor Footpath renewal works Link ST		
Minor Footpath renewal works Mahoneys Road	●	
Minor Footpath renewal works Palm St		
Minor Footpath renewal works Railway Pl		
Minor Footpath renewal works Rene ST		
Minor Footpath renewal works Separation St		
Minor Footpath renewal works Shoalhaven St		
Minor Footpath renewal works Sugargum Dr		
Minor Footpath renewal works Westgarth St		
Minor Footpath renewal works Yarralea St		
Minor Footpath renewal works Young ST		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Kerb and Channel Renewal Program		
Kerb & Channel renewal works - Alphington (various)	●	<p>Council’s project staff have initiated meetings with key stakeholders and have conducted site visits to finalise the list of sites within the kerb and channel renewal program. Our team is collaborating closely with the Capital Projects team to identify any necessary works in the streets designated for road resurfacing.</p> <p>Construction is scheduled to commence by mid-November 2024.</p>
Kerb & Channel renewal works - Bundoora (various)		
Kerb & Channel renewal works - Fairfield (various)		
Kerb & Channel renewal works - Kingsbury (various)		
Kerb & Channel renewal works - Northcote (various)		
Kerb & Channel renewal works - Preston (various)		
Kerb & Channel renewal works - Reservoir (various)		
Kerb & Channel renewal works - Thornbury (various)		
Replace Kendal-Harding Bridge		
Kendall / Harding Street shared path bridge renewal and improved accessibility	●	<p>Project staff have now completed flood modelling and functional design for the shared path bridge renewal project at Kendall/Harding Street. Staff are now focused on the Cultural Heritage Management Plan for the site. The project is progressing against the project timeline.</p>
Right of way rehabilitation program		
Laneway (ROW) renewal at various locations	●	<p>The Right of Way (RoW) adjacent to 85 Darebin Road is scheduled for reconstruction during this financial year. Initial work began in 2022 but was paused due to unexpected soil conditions. Project staff have prepared the Request for Quotation and have now sought quotations from contractors. Reconstruction work is expected to commence by the end of November 2024, with a completion date set for mid-December 2024.</p> <p>In addition, minor renewal works are planned for 100 Charles Street, Northcote, with work anticipated to begin in the first week of December 2024.</p>

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Road Rehabilitation Design & Construction Program		
Road Design & Construction - Botha Avenue (Allenby to McFadzean Av)	●	As part of Councils Road rehabilitation program, Botha Avenue has been nominated to be upgraded. Works will include reconstruction of the existing central median, kerb and channel repairs, deep asphalt repairs where the pavement has lifted or failed, new asphalt over the entire surface and new raised safety treatments. Community will be engaged after caretaker period with an aim for construction works to occur in early 2025.
Road Design & Construction - Hickford St. / Darebin Blvd Intersection - Preston	●	Additionally, Hickford Street and Darebin Boulevard have also been nominated for upgrades. The proposed works will include the demolition of the existing road pavement, installation of new asphalt and a full-depth road subbase, new underground drainage, repairs to kerb and channel, vehicle crossings, and footpaths. This project will also replace the existing roundabout with a new raised intersection, promoting safer speeds and providing improved crossing points for pedestrians, as well as enhanced connectivity to Reservoir Views Primary School. Both projects are tracking well against the prepared project timeline.
Testing & Design for future year Road Rehabilitation Works (High Street)	●	This project focuses on the design and investigations necessary for upcoming initiatives within the Council's long-term Road Rehabilitation Program. The aim of this program is to enhance the condition, safety, and visual appeal of various roads throughout the City. Project staff have now commenced planning and assessment of sites along High Street to ensure our road infrastructure will meet the needs of our community now and in the future.
Road Resurfacing Program		
Road resurfacing - ARTHURTON ROAD- SHAKESPEARE to WINIFRED	●	As part of Council’s commitment to enhance road safety and driving conditions, the following roads will be resurfaced Project staff have now conducted site inspections for each of the streets selected within the program of road resurfacing works. Project staff are currently preparing the relevant procurement documentation for distribution at the commencement of Q2.
Road resurfacing - BANBURY ROAD- BOGONG to LUKE		
Road resurfacing - BANBURY ROAD- BROADHURST to BOGONG		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Road Resurfacing Program		
Road resurfacing - BANBURY ROAD-LUKE to THROWER		<p>As part of Council’s commitment to enhance road safety and driving conditions, the following roads will be resurfaced</p> <p>Project staff have now conducted site inspections for each of the streets selected within the program of road resurfacing works. Project staff are currently preparing the relevant procurement documentation for distribution at the commencement of Q2 with an aim for works to occur early 2025.</p>
Road resurfacing - BANBURY ROAD-THROWER to EMMA		
Road resurfacing - BASTINGS STREET-NEWMARKET to SHARP		
Road resurfacing - BASTINGS STREET-OXFORD to NEWMARKET		
Road resurfacing - BORRIE STREET-MIRANDA to ST. VIGEONS		
Road resurfacing - CHIFLEY DRIVE-BRUTHEN to BELL		
Road resurfacing - CUTHBERT ROAD-ROYAL to MARCHANT	●	
Road resurfacing - DAVIDSON STREET-LOCKTON to DAWSON		
Road resurfacing - DENNIS STREET-SALISBURY to REID		
Road resurfacing - DUNDAS STREET-NEWCASTLE to VICTORIA RD		
Road resurfacing - DUNDAS STREET-STATION to JONES		
Road resurfacing - ELIZABETH STREET-FURZER to COOL		
Road resurfacing - ELIZABETH STREET-HORTON to JENKIN		

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Road Resurfacing Program		
Road resurfacing - GILBERT ROAD-BURGESS to MILLER		<p>As part of Council’s commitment to enhance road safety and driving conditions, the following roads will be resurfaced</p> <p>● Project staff have now conducted site inspections for each of the streets selected within the program of road resurfacing works. Project staff are currently preparing the relevant procurement documentation for distribution at the commencement of Q2 with an aim for works to occur early 2025.</p>
Road resurfacing - GILBERT ROAD- EDWARDES to LAKE		
Road resurfacing - GILBERT ROAD-KANE to COLLINS		
Road resurfacing - HICKFORD STREET- DUNDEE to BORRIE/DAREBIN		
Road resurfacing - HICKFORD STREET- JOHNSON to SMITH		
Road resurfacing - HIGH STREET-BEAVERS to BEACONSFIELD		
Road resurfacing - HIGH STREET-COLLINS to PENDER		
Road resurfacing - HIGH STREET-GOOCH to MANSFIELD		
Road resurfacing - HIGH STREET-LAWRY to SEPARATION		
Road resurfacing - HIGH STREET-MC CUTCHEON to BEAVERS		
Road resurfacing - HIGH STREET-OAKOVER to SHOWERS		
Road resurfacing - INVERMAY STREET- HICKFORD to ST. VIGEONS		

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Road Resurfacing Program		
Road resurfacing - LEINSTER GROVE- NORMANBY to WOOLTON		<p>As part of Council’s commitment to enhance road safety and driving conditions, the following roads will be resurfaced</p> <p>● Project staff have now conducted site inspections for each of the streets selected within the program of road resurfacing works. Project staff are currently preparing the relevant procurement documentation for distribution at the commencement of Q2 with an aim for works to occur early 2025.</p>
Road resurfacing - MARSHALL DRIVE- MURIEL to INVERMAY		
Road resurfacing - MASSEY AVENUE- GODLEY to GLASGOW		
Road resurfacing - MCFADZEAN AVENUE- BARRY to O'CONNOR		
Road resurfacing - ORRONG AVENUE- MCMAHON to STRATHMERTON		
Road resurfacing - REGENT STREET (ROBINSON TO RAIL X-ING)		
Road resurfacing - REGENT STREET-HIGH to ROBINSON		
Road resurfacing - REGENT STREET-SPRING to MYRTLE		
Road resurfacing - SEPARATION STREET- PERRY to GRANGE		
Road resurfacing - SOUTH CRESCENT- PARSONS to JAMIESON		
Road resurfacing - SOUTH CRESCENT- SIMPSON to PARSONS		
Road resurfacing - SOUTH CRESCENT- VICTORIA to LEES		
Road resurfacing - TAYLOR STREET-HUTTON to RENNIE		

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Road Resurfacing Program		
Road resurfacing - TYLER STREET-ARLINGTON to JEFFREY		<p>As part of Council’s commitment to enhance road safety and driving conditions, the following roads will be resurfaced</p> <p>● Project staff have now conducted site inspections for each of the streets selected within the program of road resurfacing works. Project staff are currently preparing the relevant procurement documentation for distribution at the commencement of Q2 with an aim for works to occur early 2025.</p>
Road resurfacing - TYLER STREET-ELLISON to JOFFRE		
Road resurfacing - TYLER STREET-JEFFREY to ELLISON		
Road resurfacing - TYLER STREET-JOFFRE to PLENTY		
Road resurfacing - VICTORIA ROAD-CHRISTMAS to CLIFTON		
Road resurfacing - VICTORIA ROAD-CLARENDON to CLYDE		
Road resurfacing - VICTORIA ROAD-CLYDE to SPEIGHT		
Road resurfacing - VICTORIA ROAD-FLINDERS to MANSFIELD		
Road resurfacing - VICTORIA ROAD-JENKINS to CHRISTMAS		
Road resurfacing - VICTORIA ROAD-MANSFIELD to ROSSMOYNE		
Road resurfacing - VICTORIA ROAD-RALEIGH to CLARENDON		
Road resurfacing - WOOLHOUSE STREET-ARTHURTON to BEAVERS		

● Completed
 ● On Track
 ● Deferred
 ● Not Started
 ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Street Furniture and Equipment Renewal Program		
Street Furniture Renewal Program	●	The list of sites to be included within the project scope has now been confirmed and an request for quote is being prepared to purchase bin surrounds, seating, and a bike hoop. Project staff will seek quotations from suitably qualified infrastructure providers. Quotes will then be assessed, and goods will be ordered with delivery expected in early 2025.
Street lighting safety renewal program		
Central Preston lighting renewal (part)	●	Project staff have commenced initial internal stakeholder engagement.
Public lighting audit in community areas, car parks, open spaces (not streetlights)	●	Project staff have begun internal stakeholder discussions and are currently identifying and consolidating the list of key locations to undertake audits for in this financial year.
Street lighting renewal forward design	●	Project staff have begun internal stakeholder consultation and are currently identifying the list of priority works to be included in the program this year.
Transport Safety Projects Construct (including Blackspot Program)		
Blackspot - Bell Street and Gilbert Road intersection Traffic Signal safety improvements	●	This project involves the improvement of the existing signal operation at Bell Street and Gilbert Road intersection to enhance safety. This project will be delivered externally by Department of Transport Planning (DTP). Council staff are in regular communication with the external lead to understand the project delivery timeline and support delivery.
Blackspot - Edwardes Street and Banbury Road (application pending)	●	Council have now been notified that they have been unsuccessful in obtaining funding for this project this year. This project has been deferred.
Blackspot - High Street and Crawley Street (application pending)	●	Project staff have now completed a procurement process and appointed a design consultant for the civil component of the project. Staff are regularly meeting with the contractor and key stakeholders. A Memorandum of Agreement (MoA) has now been received from the Department of Transport Planning (DTP) for the speed limit component of the project. Community consultation is now scheduled and will occur following Council's caretaker period.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Transport Safety Projects Construct (including Blackspot Program)		
Construct Clarendon Street raised zebra crossing - Psarakos Market	●	Council has now formally endorsed the project. The project includes construction of raised zebra crossing on Clarendon Street at the Psarakos Market. The project is currently in the design stage with construction set to commence in early 2025.
Construct McIntosh at James Street	●	The project includes installation of raised pavement on James Street. The design phase of the project is now completed, and construction is planned to commence in early 2025.
Construct Raised children's crossing on Clifton Grove at Sacred Heart School	●	This project delivers on Transport's safety program and involves the construction of a new raised crossing at Sacred Heart School in Clifton Grove Preston. Construction commenced in the September 2024 school holiday period to limit disruption to families. Works are expected to be complete by the 11 October 2024.
Construct raised school crossing opposite James Street at St Joseph Primary school gates	●	The project includes the installation of a raised school crossing at St Joseph Primary school on James Street. The design phase of the project is now complete. Project staff have now initiated a procurement process to progress works. Construction is expected to commence in early 2025.
Construct raised threshold Clapham Street (north) at Hutton Street	●	The project will create a raised threshold at Hutton Street. The project is currently in the procurement phase. Construction will commence in January 2025 during the school holiday period to mitigate impact on local families.
Quick Wins YSYS	●	The list of projects to be included within the program of works have now been identified by project staff and following a procurement process, design consultants have now been appointed. Project staff are currently preparing Traffic Impact Assessment for both South Crescent and Railway Place projects. Following Council's caretaker period, a community consultation process will be initiated.
Street Lighting Projects	●	Project staff have now lodged applications with CitiPower and Jemena to begin the street lighting upgrade process. Staff are currently awaiting the outcome of all submitted applications.

● Completed ● On Track ● Deferred ● Not Started ● Discontinued

CAPITAL WORKS

Transport, footpaths & streetscapes		
Transport Safety Projects Design		
Accessible Parking Spaces Design and Construction	●	This program involves both design and construction of new and accessible parking spaces throughout the municipality. As part of the program of works, Council will be installing two new bays in Collins Street, Thornbury outside Penders Park. Works are scheduled to commence in October 2024. The remaining budget will be used to fund the design of a second assessable parking site. Internal consultation is currently underway to select a suitable option. Design works for any future identified site will commence this financial year and construction will be planned for the upcoming financial year 25/26.
Design of raised zebra crossing on Cramer Street	●	Following a procurement process a design consultant has now been appointed. Project staff are meeting with the designer regularly and following the receipt of the functional design are now providing feedback. Consultation has now been scheduled to occur following Council's caretaker period.
Design of speed humps on Radford Road between Edwardes Street and Broadhurst Avenue	●	Following a procurement process, a design consultant has now been appointed. Project staff are regularly meeting with the appointed consultant and have received the functional design. Feedback on has now been provided and community consultation has been scheduled and will occur following Council's caretaker period.
Design Pedestrian Operated Signal and Raised Shared Path Crossing Cheddar Road at Crookston Road	●	Following a procurement process, a design consultant has now been appointed. Project staff are regularly meeting with the appointed consultant and have received the functional design. Feedback on has now been provided and community consultation has been scheduled and will occur following Council's caretaker period.
Priority projects identified in the Your Street Your Say Program	●	Following a procurement process, consultants have now been engaged by Council staff to complete the design works for the Newcastle Street raised zebra crossing. They have also been engaged to undertake a feasibility study for Victoria Road and Dundas Street bike projects. Staff are meeting regularly with the consultant and the project is progressing well against the project timeline and budget.

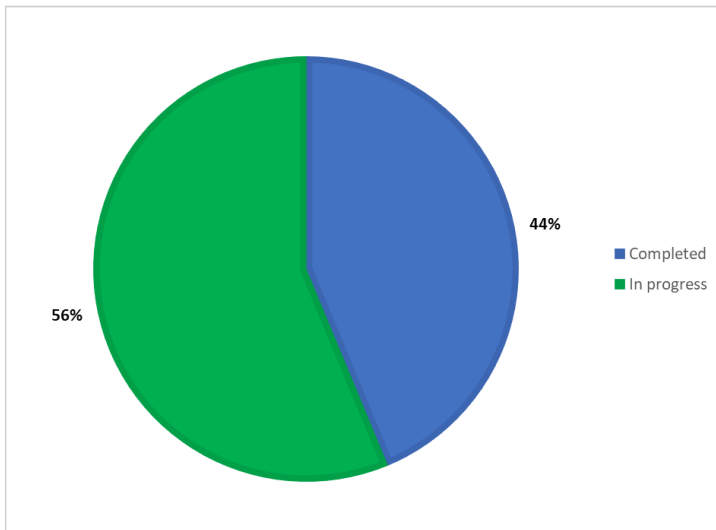
● Completed ● On Track ● Deferred ● Not Started ● Discontinued

COUNCIL RESOLUTIONS

In the first quarter of the 2024-25 financial year, 37 resolutions were made through Council meetings, 14 have been completed and 23 resolutions are in progress.

Due to the complexity of some of the resolutions, they may span multiple years and can be superseded or updated as the initiatives progress.

The current status of Q1 Council resolutions is shown in the chart below:





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Ελληνικά	नेपाली	اردو
हिंदी	ພິມາຊີ	Tiếng Việt
		70

FINANCIAL REPORT

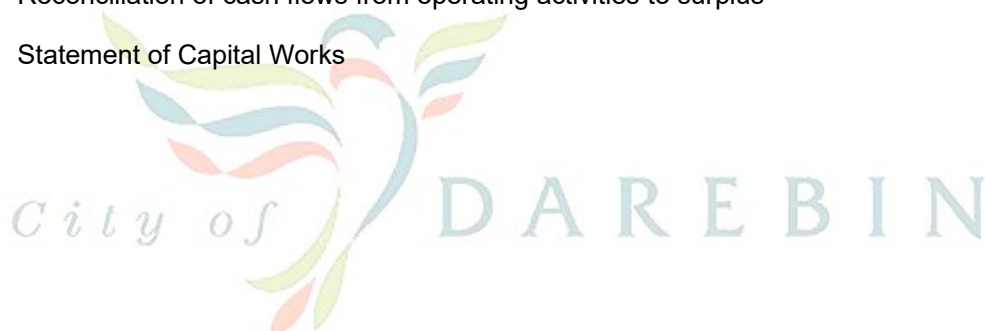
Three months ended 30 September 2024



Financial Report 3 months ended 30 September 2024

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Financial Report

3 months ended 30 September 2024

1 EXECUTIVE SUMMARY

1.1 Operating performance

Performance for the first three months of the financial year is unfavourable to YTD budget by \$0.16m and the forecast operating performance for the full 2024-25 financial year is expected to be \$7.77m less than budget.

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Q1 Forecast \$'000
Operating					
Revenue	169,601	170,012	411	213,704	215,697
Expenditure	(52,934)	(53,504)	(570)	(203,511)	(213,272)
Surplus (deficit)	116,667	116,508	(159)	10,193	2,425
Capital & other					
Revenue / grants	0	(32)	(32)	(1,639)	(1,895)
Adjusted underlying surplus/(deficit)	116,667	116,476	(191)	8,554	530

For the three months ended 30 September 2024, Council has recorded an operating surplus of \$116.51 million, which is \$0.16 million behind of the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus¹ is \$116.48 million, which is \$0.19 million unfavourable to the year-to-date budget.

Total expenditure year-to-date is unfavourable by \$570K and total revenue year-to-date is favourable by \$411K. The main items contributing to this unfavourable variance are higher depreciation and amortization costs, lower operating grants and lower contributions.

1.2 Capital performance

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Budget & CFWD's \$'000
Property	436	1,549	(1,113)	10,583	13,935
Plant & equipment	743	450	293	6,140	7,372
Infrastructure	632	749	(117)	15,121	16,005
Total capital works	1,811	2,748	(937)	31,844	37,313

For the three months ended 30 September 2024, Council has expended \$2.75 million on the capital works program, which is \$0.94 million ahead of the year-to-date budget. The variance is due to advance in buildings and infrastructure works.

The forecast capital performance for the year ending 30 June 2025 is expenditure of \$37.31 million, which is \$5.47 million more than budget which includes carry forwards from prior year of \$5.10M.

¹ An underlying surplus is the net surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Financial Report

3 months ended 30 September 2024

1.3 Financial Position

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Audited 2024 \$'000
Cash and investments	54,523	64,590	10,067	54,094	64,872
Net current assets	155,416	163,120	7,704	36,479	41,810
Net assets and total equity	1,787,346	2,034,676	247,330	1,680,871	1,918,169

The financial position as at 30 September 2024 shows a cash (\$33.1M) and investment balance (\$31.54M) of \$64.59 million, which is \$10.07 million ahead of budget. The variance is due mainly to timing differences in receipt of rates, fees and charges, capital grants, payments to employees and suppliers and a higher opening cash and investment position compared with budget.

The cash and investment balance of \$64.59 million was sufficient to meet restricted cash and intended allocation obligations of \$28.33 million at the end of September².

The Net Current Asset YTD is \$163.12 million, which is \$7.70 million favourable to budget, primarily due to higher opening cash position and timing of rate receivables.

The net asset position of \$2.035 billion is \$247.3 million favourable to budget. This is mainly due to the prior year revaluation increment of property and infrastructure assets not reflected in the adopted budget due to timing of year-end adjustments.

1.4 1st Quarter Budget Review (Q1 Forecast)

Q1 Forecast Operating Result

The 1st Quarter budget review indicate a \$7.8M net unfavourable result compared to adopted budget and \$5.5M more than Council's adopted capital works program.

Operating Performance: Overall unfavorable result to financial forecast to the value of \$7.8M. Main drivers are:

Operating Revenue (\$1.7M Favourable Net):

- Northcote Aquatic & Recreation Centre: Favourable adjustment to EOY forecast to the value of **\$1.5M** - Prior year profit share earnings in accordance with contractual arrangements to be paid to Council in current year – not budgeted.
- Interest on Investments: Favourable adjustment to EOY forecast to the value of **\$690K** – favourable external market conditions.
- Darebin Resource Recovery Centre: Favourable adjustment to EOY forecast to the value of **\$250K** – Retail sales revenue not budgeted.
- Contribution Income: Favourable adjustment to EOY forecast to the value of **\$178K** - Contribution funds received from developer to maintain parcel of land transferred to Council - Wood St, Preston. Funds to be spent over next 5 years to maintain land.
- Open Space Levy (OSL) Developer Contributions: Unfavourable adjustment to EOY forecast to the value of **\$1M** – Due to continued downturn in construction industry.

² Restricted cash is the amount of cash holdings Council requires to meet external restrictions such as trust funds, statutory reserves and cash for intended allocations, such as cash held to fund future capital works.

Financial Report

3 months ended 30 September 2024

Operating Expenditure (\$10.M unfavourable Net):

- Annual Depreciation Expense: Unfavourable adjustment to EOY forecast to the value of **\$6.7M** - As a result of prior year revaluations of Council assets – non-cash impact to budget
- Budget Carry Forwards & Unspent Grants: Unfavourable adjustment to EOY forecast to the value of **\$1.7M** – Unspent budgets from prior year rolled over to the current year to complete service delivery. funded from prior year cash surplus.
- Tree Maintenance Program: Unfavourable adjustment to EOY forecast to the value of **\$1.5M** - Revised contract price significantly higher than previous arrangements.
- Other minor items: Unfavourable adjustment to EOY forecast to value of **\$300K net** – Other minor adjustments throughout Council operations.

Capital Works Program: Overall unfavorable result to the value of **\$5.5M**. Main drivers:

- Budget Carry Forwards: Unfavourable adjustment to EOY forecast to the value of **\$5.1M** – Unspent budgets from prior year rolled over to the current year to complete service delivery. funded from prior year cash surplus.
- Bill Lawry Oval Project - Repayment of unspent grant funding received in a prior year to the value of **\$400K**.

Key forecast changes by project

- Maryborough Avenue Kindergarten Expansion Project – \$867K increase to original expenditure budget as a result of receiving higher than expected grant funding this FY from the grantor. Offset with a corresponding increase to the grant funding revenue forecast.
- KP Hardiman Pavilion Design Project - Partial delivery deferred (\$450K) to next FY due to timing challenges relating to tender processes and caretaker period. Due to award contract in Jan 25.
- Bundoora Farm Barn Roof Renewal – \$158K budget rolled over from prior year, now deferred to future years;
 - \$90K transferred to Plumbing Renewals - New Roof Includes Gutters and Downpipes at Donald Street Community Hall Project
 - \$30K savings
- IT Improvement Program - Asset Management Systems Remediation Project – Project deferred and will form part of the broader ERP Program. Budget to be used to part fund the Infrastructure Improvement (Switch & Hardware Replacement) Project.
- IT Improvement Program - Accelerated deployment: Customer Data Management Project - Project on hold following a review of all IT projects and budgets. Budget to be used to part fund the Infrastructure Improvement (Switch & Hardware Replacement) Project.
- IT Improvement Program - Development of ICT Capabilities of Meeting Rooms Project - Project on hold following a review of all IT projects and budgets. Budget to be used to part fund the Infrastructure Improvement (Switch & Hardware Replacement) Project.
- Road Rehab & Design - testing and design Project - \$50K transferred to Road Rehab & Design - High Street Works project.
- Blackspot-Bell Street and Gilbert Road Intersection Traffic Signal Safety Improvements Project – Dept of Transport to deliver project, therefore will not receive expected grant funding (\$290K). Offset with a corresponding decrease to the grant funding revenue forecast.
- Blackspot-Edwardes Street and Banbury Road Project – Grant application unsuccessful (\$235K). Offset with a corresponding decrease to the grant funding revenue forecast.

Financial Report

3 months ended 30 September 2024

2. FINANCIAL ANALYSIS

2.1 Operating performance

The information in the table below shows income and operating expenditure for the period ended 30 September 2024. The four columns of data provide information on the following:

- YTD budget to 30 September 2024 (i.e. estimated timing of income and expenditure)
- YTD actual results to 30 September 2024
- YTD variance of actuals compared to budget
- Annual budget as adopted by Council

The report provides a year-to-date summary of Council’s financial position and is a guide on the timing of receipts and payments. Timing differences can occur during the financial year and year to date variances do not imply that the annual budget will be affected.

DAREBIN CITY COUNCIL

Comprehensive Income Statement

For the 3 months ended 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	YTD Variance %	Annual Budget \$'000	Annual Forecast \$'000
Income						
Rates and charges	153,526	153,582	56	0.0%	157,373	157,373
Statutory fees and fines	1,867	2,297	430	23.0% >	9,332	9,352
User fees	2,942	3,251	309	10.5% >	12,562	13,059
Grants - operating	8,476	7,946	(530)	(6.3%) <	18,105	17,848
Grants - capital	0	32	32	100.0%	2,639	2,895
Contributions - monetary	1,533	938	(595)	(38.8%) <	6,607	5,780
Net gain (loss) on disposal of property, infrastructure, plant and equipment	52	83	31	59.6% >	730	650
Other income	1,205	1,883	678	56.3% >	6,356	8,740
Total income	169,601	170,012	411	0.2%	213,704	215,697
Expenses						
Employee costs	28,245	27,303	942	3.3%	107,423	106,596
Materials and services	15,089	15,058	31	0.2%	59,646	63,512
Depreciation	6,928	8,362	(1,434)	(20.7%) <	27,712	34,971
Amortisation - intangible assets	133	307	(174)	(130.8%) <	532	0
Amortisation - right of use assets	1	-	1		3	0
Bad and doubtful debts	303	177	126	41.6% >	1,339	1,464
Borrowing costs	402	397	5	1.2%	1,608	1,608
Finance Costs - leases	-	2	(2)	0.0%	0	0
Other expenses	1,833	1,898	(65)	(3.5%)	5,248	5,121
Total expenses	52,934	53,504	(570)	(1.1%)	203,511	213,272
Surplus for the year	116,667	116,508	(159)	(0.1%)	10,193	2,425
Less						
Grants - capital (non-recurrent)	0	(32)	(32)	0.0%	(1,639)	(1,895)
Adjusted underlying surplus/ (deficit)	116,667	116,476	(191)	(0.2%)	8,554	530

Legend	
< (\$100,000) and (-5%)	Unfavorable Variance
> = \$100,000 and 5%	Favorable Variance

Financial Report

3 months ended 30 September 2024

Operating Revenue – notes

1. **Statutory fees and fines:** Major variances include:
 - Traffic enforcement penalties issued are \$294K more than the budget at the end of September. (T)
 - Statutory planning permits are \$143K more than the budget at the end of September. (T)
 - Local laws fines and permits are \$104K less than the budget at the end of September. (T)
2. **User fees:** Major variances include:
 - Animal fines issued are \$219K more than the budget at the end of September. (T)
 - Darebin Resource Recovery Centre income is \$137K less than the budget at the end of September. Lower than anticipated waste volumes being processed. This will result in a corresponding reduction of expenditure (e.g. tipping costs) (T)

Note: (T) Timing, (P) Permanent
3. **Grants operating:** Major variances include:
 - School crossing supervision service is \$650K less than budget at the end of September. Council is still yet to receive the 2024-25 allocation from the Department of Planning and Transport. (T)
4. **Contributions - monetary:** Major variances include:
 - Public open space contributions are \$994K unfavorable to budget at the end of September. Construction and development have been impacted by rising interest rates, state-wide economic uncertainty and the staged timing of development. (P)
 - Developer contributions are \$181K favorable to budget at the end of September. (T)
 - Other contributions are \$168K favorable to budget at the end of September. Developer contribution paid in lieu of maintenance on land in Wood St, Preston. Council will undertake these works over the next 5 years. (P)
5. **Other income:** Major variances include:
 - Interest on investments is \$301K greater than budget at the end of September and it is forecast this variance will be \$0.69 million greater than budget at the end of the financial year. High interest rates in conjunction with higher cash balances have increased yield on invested funds. Q1 estimate is that this favourable (P)
 - Cost recoveries received from Victorian Workcover Authority is \$213K. This item is unbudgeted. (Refer Employee costs, offset by increase in subsequent expenditure) (T)
 - Cost recoveries received from Victorian Container Deposit Scheme is \$114K greater than budget at the end of September. Council receives a proportion of revenue received from the Victorian Container Deposit Scheme from facilities located on Council owned land. (T)

Note: (T) Timing, (P) Permanent

Financial Report

3 months ended 30 September 2024

Operating Expenses – notes

6. **Depreciation and amortisation:** Major variance is:
- Depreciation (\$1.43 million) and amortization (\$174K) is \$1.61 million more than budget at the end of the September. This is mainly due to the impact of the prior year revaluation increment of property and infrastructure assets. (P).
7. **Bad and doubtful debts:** Major variance is:
- City safety and compliance bad and doubtful debts is \$137K less than budget at the end of September. Lower than anticipated provision for unpaid traffic fines has been made. (T).



Note: (T) Timing, (P) Permanent

Financial Report

3 months ended 30 September 2024

2.2 Capital performance

The information in the table below shows capital expenditure for the period ended 30 September 2024. The six columns of data provide information on the following:

- YTD budget to 30 September 2024
- YTD actual results to 30 September 2024
- YTD variance of actuals compared to budget
- Annual budget as adopted by Council
- Annual budget + additional carry-over expenditure from previous financial year.

DAREBIN CITY COUNCIL

Statement of Capital Works

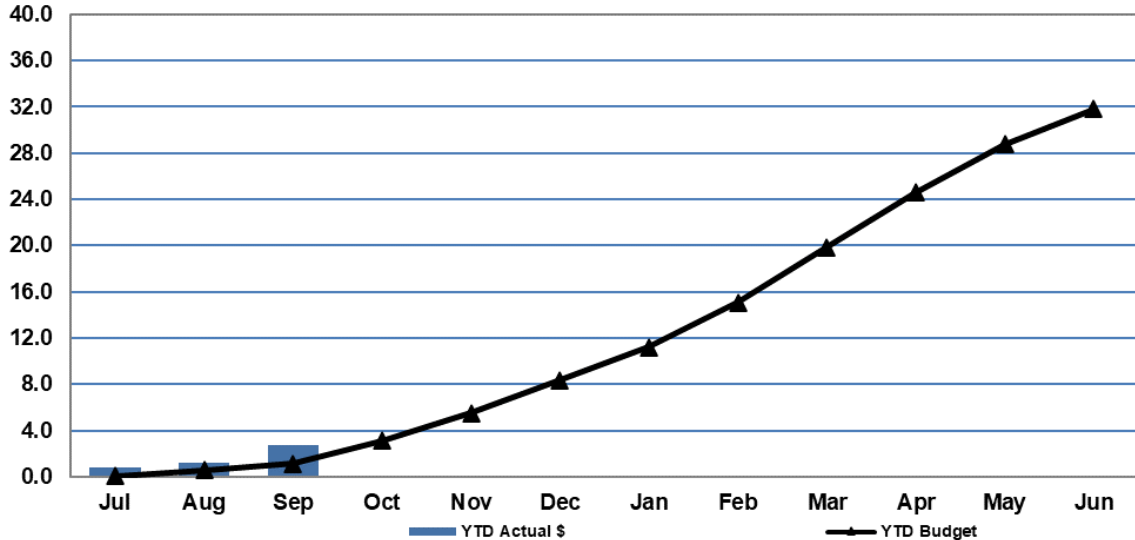
For the 3 months ended 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	YTD Variance %	Annual Budget \$'000	Budget & CFWDs \$'000
Capital works						
Property						
Land	-	3	(3)	100.0%	1,220	1,100
Buildings	436	1,542	(1,106)	(253.7%) <	9,223	12,695
Building improvements	-	4	(4)	100.0%	140	140
Total property	436	1,549	(1,113)	(255.3%)	10,583	13,935
Plant & equipment						
Plant, machinery & equipment	276	89	187	67.8% >	2,130	2,160
Fixtures, fittings & furniture	-	4	(4)	100.0%	50	50
Computers & telecommunications	195	178	17	8.7%	3,160	4,362
Library books	272	179	93	34.2%	800	800
Total plant & equipment	743	450	293	39.4%	6,140	7,372
Infrastructure						
Roads	100	42	58	58.0%	5,843	5,606
Bridges	2	-	2	100.0%	119	119
Footpaths & cycleways	-	52	(52)	100.0%	3,016	3,266
Drainage	48	208	(160)	(333.3%) <	1,990	2,270
Land Improvements	40	105	(65)	(162.5%)	737	969
Recreation, leisure & community facilities	20	36	(16)	(80.0%)	200	347
Waste management	82	85	(3)	(3.7%)	330	330
Parks, open space & streetscapes	338	221	117	34.6% >	2,792	3,004
Off-street car parks	2	-	2	100.0%	95	95
Total infrastructure	632	749	(117)	(18.5%)	15,121	16,005
Total capital works	1,811	2,748	(937)	(51.7%)	31,844	37,313
Represented by:						
Asset renewal	1,278	1,940	(662)		22,468	26,327
New assets	352	533	(181)		6,182	7,245
Asset expansion	40	61	(21)		705	827
Asset upgrade	142	215	(73)		2,489	2,917
Total capital works	1,811	2,748	(937)	(51.7%)	31,844	37,313

Financial Report

3 months ended 30 September 2024

Cumulative capital works actual expenditure



Capital Expenditure – notes

1. **Buildings:** Major variances include:
 - Bill Lawry Oval pavilion is \$410K greater than budget at the end of September. Project includes the return of external State Government funding received. Original project scope cannot be delivered with allocated funding provided. (P)
 - Merri Community Child Care & Kindertgarten works is \$254K more than budget at the end of September. Project was deferred from 2023-24. (P)
 - Northcote Townhall compliance matters is \$302K greater than budget at the end of September. Project was deferred from 2023-24. (P)
 - John Hall Pavilion works is \$160K less than budget at the end of September. Construction works have commenced. (T)

2. **Plant, machinery & equipment:** Major variances include:
 - Vehicular plant replacement program is \$130K less than budget at the end of September. Delays in availability of replacement vehicles. (T)

3. **Drainage:** Major variances include:
 - Storwater pipe relining program is \$124L greater than budget at the end of September. (T)

4. **Parks, opens space & streetscapes:** Major variances include:
 - Open space improvement project – minor works is \$169K less than budget at the end of September. (T)

Note: (T) Timing, (P) Permanent

Financial Report

3 months ended 30 September 2024

2.3 Financial position

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Audited 2024 \$'000
Cash and investments	54,523	64,590	10,067	54,094	64,872
Net current assets	155,416	163,120	7,704	36,479	41,810
Net assets and total equity	1,787,346	2,034,676	247,330	1,680,871	1,918,169

Cash & Investment balance

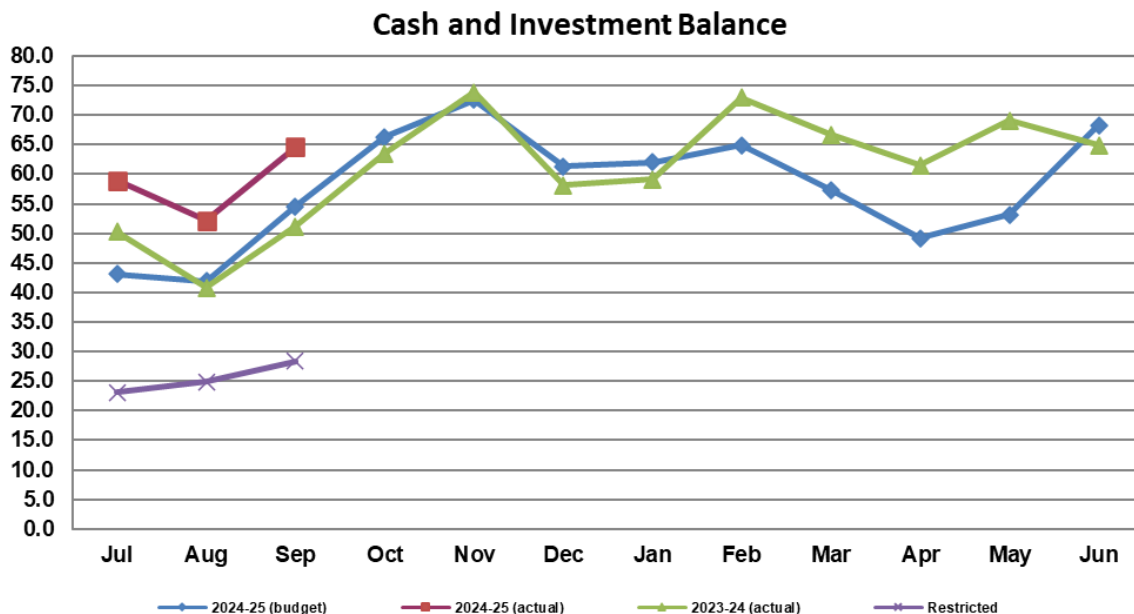
The chart below shows projections of how Council’s cash balance is expected to perform over the course of the 2024-25 financial year. The chart portrays:

- YTD budget to 30 September 2024
- YTD actual results to 30 September 2024
- YTD variance of actuals compared to budget
- Annual budget as adopted by Council
- Restricted Cash

Restricted cash includes:

- Drainage development reserve
- Recreational lands and Developer Contribution Plan contributions received
- Carried forward capital works
- Trust funds and deposits.

The graph below shows Council’s cash balance is within expectations. Every opportunity is taken to invest surplus cash to maximise investment returns.



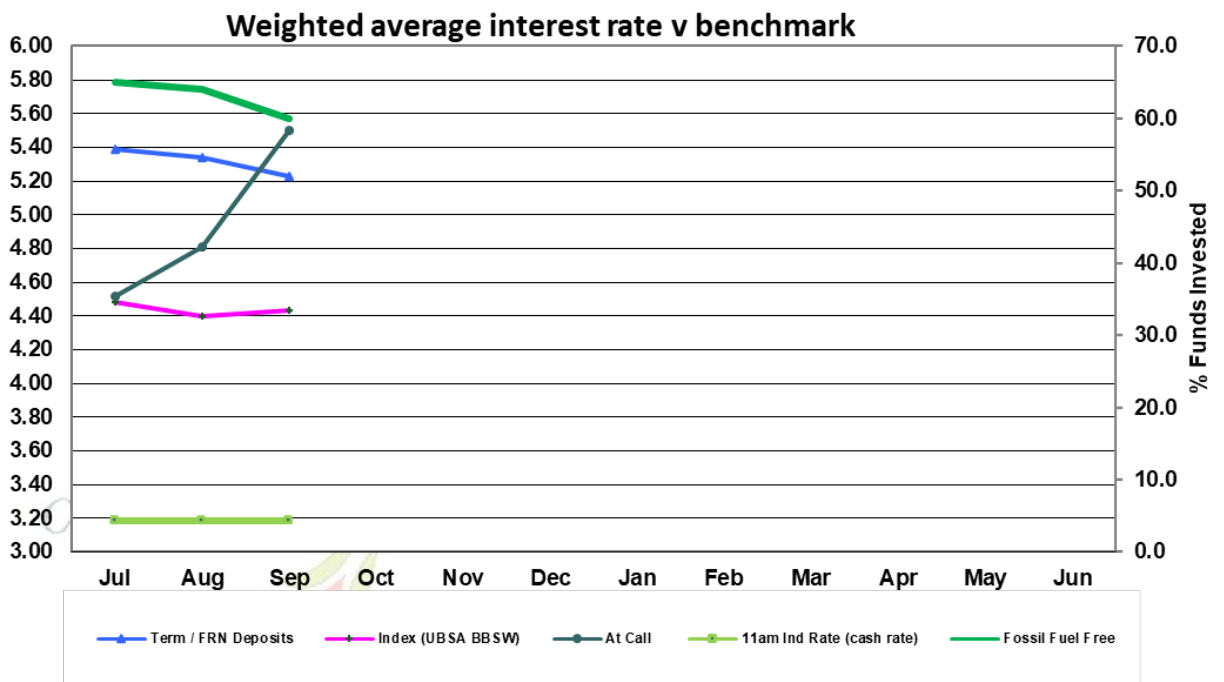
Note: Cash and investments include term deposits with a maturity date exceeding 90 days which are classified as other financial assets in the Balance Sheet (\$31.52M).

Financial Report 3 months ended 30 September 2024

The graph below shows Council’s interest performance against the market as well as showing the percentage of investments that were placed with financial institutions and authorised deposit-taking institutions (ADI’s) which do not have a record of funding fossil fuels.

As at 30 September 2024, 60% of all invested funds were placed with financial institutions and ADI’s which do not have a record of funding fossil fuels (30 June 2024 64%).

A comprehensive review of the Council’s investment portfolio has been undertaken for the 3 months ended 30 September 2024. The council’s investment portfolio has earned \$0.75 million in interest on investments, with term deposits, floating rate deposits and cash investments earning an annualised rate of 5.19% (June 2024: 4.76%).



Working capital

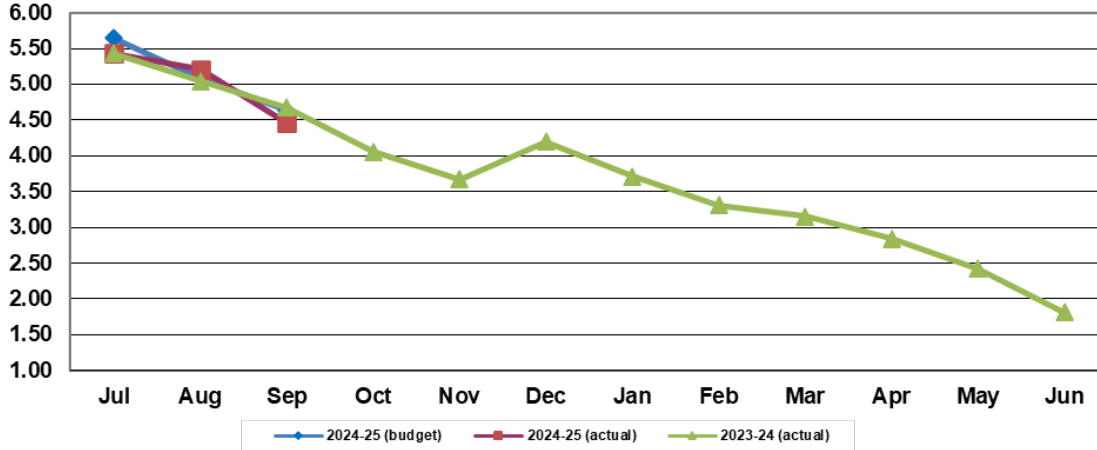
The chart below shows projections of the movement in Council’s working capital over the course of the 2024-25 financial year. The chart portrays:

- Budgeted 2024-25 working capital
- Actual 2024-25 working capital
- Actual 2023-24 working capital

Financial Report

3 months ended 30 September 2024

Working capital (current assets/current liabilities)



As at 30 September 2024, \$153.58 million was raised in general and waste rates and charges including supplementary valuations generated by changes to council’s property base. At 30 September 2024, 21.5% of the rates raised have been collected compared to the same period of the 2023-24 financial year of 19.0%.

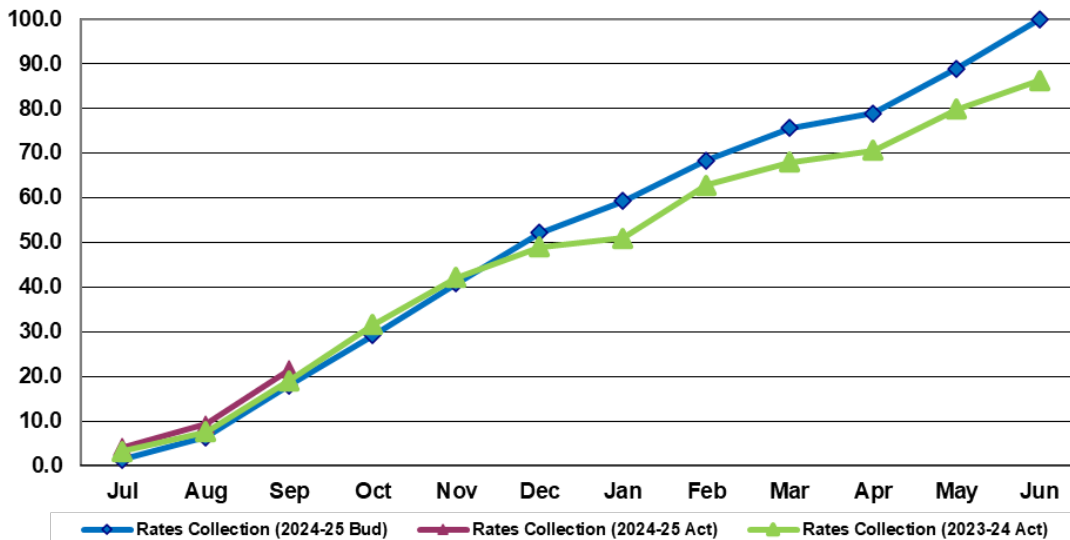
Rates debtors

The following graphs show that current collection trends are closely following the 2023-24 collection trend and the budgeted collection trend:

In the financial year 2022-23, an effective rate debt collection campaign was run to collect outstanding rates. Debt levels at the end of 2021-22 were around \$19.1m, excluding Special Charges. The campaign resulted in the collection of \$9.2m of outstanding debt from prior years. The rate debt collection campaign is continuing and has helped to improve Council’s cash flow.

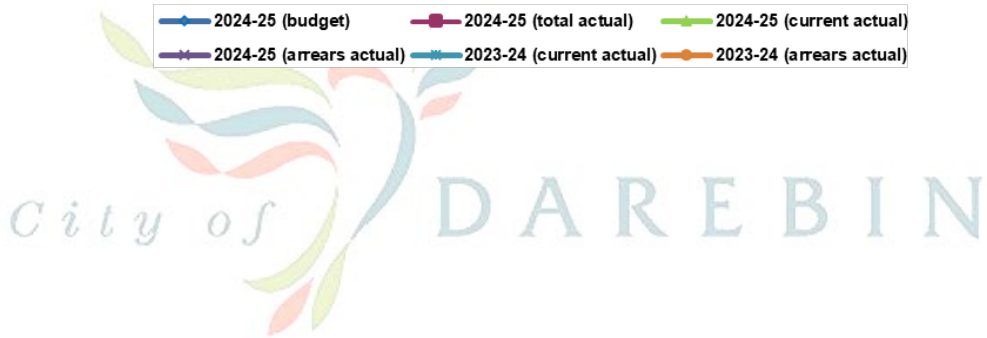
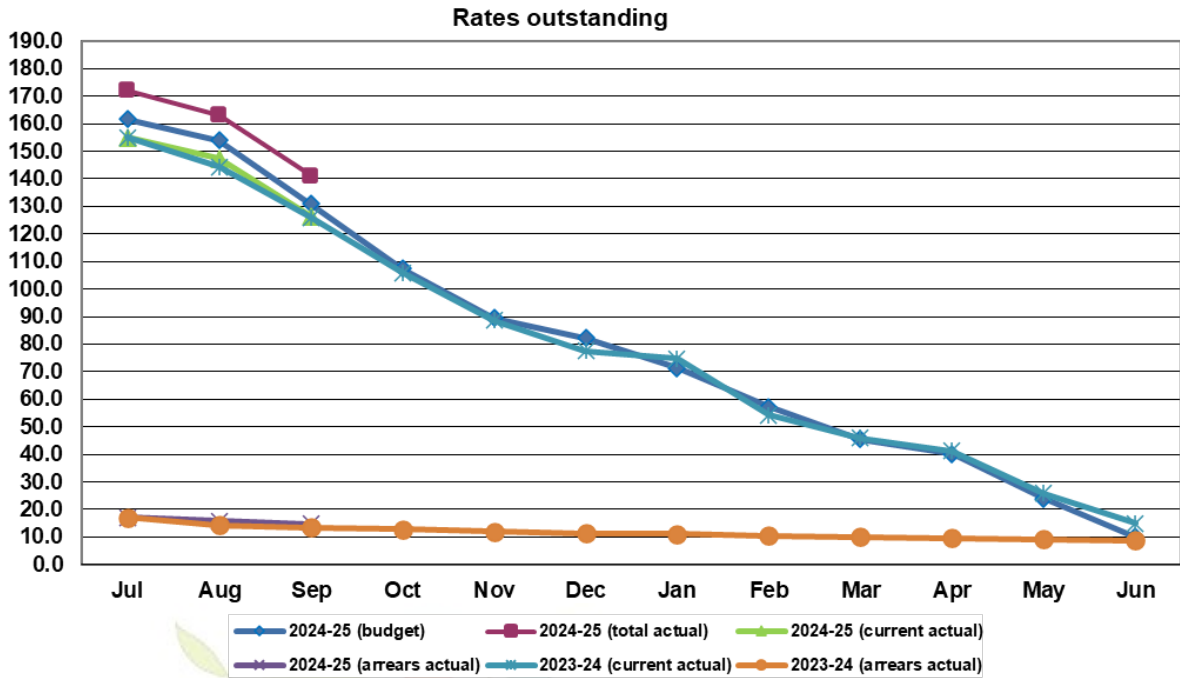
In 2023-24 outstanding rates and fire service levy, including past arrears again increased by \$3.52m to \$21.82m. For the 3 months ended 30 September 2024, the Outstanding Rates Balance has decreased by \$5.48m to \$16.33m (Sep-23 \$14.87m)

% of rates received



Financial Report

3 months ended 30 September 2024



Financial Report
3 months ended 30 September 2024

APPENDIX A

Comprehensive Income Statement
Balance Sheet
Statement of Cash Flows
Statement of Capital Works



Financial Report

3 months ended 30 September 2024

DAREBIN CITY COUNCIL

Comprehensive Income Statement

For the 3 months ended 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Annual Forecast \$'000
Income					
Rates and charges	153,526	153,582	56	157,373	157,373
Statutory fees and fines	1,867	2,297	430	9,332	9,352
User fees	2,942	3,251	309	12,562	13,059
Grants - operating	8,476	7,946	(530)	18,105	17,848
Grants - capital	-	32	32	2,639	2,895
Contributions - monetary	1,533	938	(595)	6,607	5,780
Net gain (loss) on disposal of property, infrastructure, plant and equipment	52	83	31	730	650
Other income	1,205	1,883	678	6,356	8,740
Total income	169,601	170,012	411	213,704	215,697
Expenses					
Employee costs	28,245	27,303	942	107,423	106,596
Materials and services	15,089	15,058	31	59,646	63,512
Depreciation	6,928	8,362	(1,434)	27,712	34,971
Amortisation - intangible assets	133	307	(174)	532	-
Amortisation - right of use assets	1	-	1	3	-
Bad and doubtful debts	303	177	126	1,339	1,464
Borrowing costs	402	397	5	1,608	1,608
Finance Costs - leases	-	2	(2)	0	-
Other expenses	1,833	1,898	(65)	5,248	5,121
Total expenses	52,934	53,504	(570)	203,511	213,272
Surplus for the year	116,667	116,508	(159)	10,193	2,425
Less					
Grants - capital (non-recurrent)	-	(32)	(32)	(1,639)	(1,895)
Adjusted underlying surplus/ (deficit)	116,667	116,476	(191)	8,554	530

Financial Report

3 months ended 30 September 2024

DAREBIN CITY COUNCIL

Balance Sheet

As at 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Audited 2024 \$'000
Current assets					
Cash and cash equivalents	40,369	33,050	(7,319)	39,940	33,346
Trade and other receivables	142,530	141,973	(557)	22,741	24,992
Other financial assets	14,154	31,540	17,386	14,154	31,526
Inventories	66	61	(5)	66	61
Prepayments	972	3,332	2,360	-	2,508
Other assets	78	344	266	145	961
Total current assets	198,169	210,300	12,131	77,046	93,394
Non-current assets					
Trade and other receivables	1,241	2,584	1,343	1,571	2,556
Other financial assets	6	6	-	6	6
Property, infrastructure, plant & equipment	1,661,321	1,898,674	237,353	1,670,576	1,904,291
Right-of-use assets	-	222	222	194	222
Investment property	9,270	9,840	570	9,270	9,840
Intangible assets	599	1,030	431	-	1,339
Total non-current assets	1,672,437	1,912,356	239,919	1,681,617	1,918,254
Total assets	1,870,606	2,122,656	252,050	1,758,663	2,011,648
Current liabilities					
Trade and other payables	7,050	6,496	554	9,919	15,818
Trust funds and deposits	11,761	12,218	(457)	6,910	6,953
Contract and other liabilities	107	2,369	(2,262)	107	2,396
Provisions	19,533	21,762	(2,229)	19,233	22,127
Interest bearing loans and borrowings	4,302	4,302	-	4,398	4,257
Lease liability	-	33	(33)	-	33
Total current liabilities	42,753	47,180	(4,427)	40,567	51,584
Non-current liabilities					
Provisions	2,380	2,485	(105)	2,380	2,485
Interest bearing loans and borrowings	38,127	38,126	1	34,845	39,221
Lease liability	-	189	(189)	-	189
Total non-current liabilities	40,507	40,800	(293)	37,225	41,895
Total liabilities	83,260	87,980	(4,720)	77,792	93,479
Net assets	1,787,346	2,034,676	247,330	1,680,871	1,918,169
Equity					
Accumulated surplus	716,148	718,849	2,701	609,673	602,342
Asset revaluation reserve	1,055,675	1,301,563	245,888	1,055,675	1,301,563
Other reserves	15,523	14,264	(1,259)	15,523	14,264
Total equity	1,787,346	2,034,676	247,330	1,680,871	1,918,169

Financial Report

3 months ended 30 September 2024

DAREBIN CITY COUNCIL

Statement of Cash Flow

For the 3 months ended 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Cash flows from operating activities				
Rates	36,440	35,374	(1,066)	157,366
Statutory fees and fines	1,865	1,767	(98)	10,261
User fees & charges (inclusive of GST)	3,723	3,499	(224)	13,813
Grants - operating	8,437	8,664	227	18,093
Grants - capital	-	633	633	2,637
Contributions - monetary	1,508	938	(570)	6,607
Other income	1,062	1,130	68	4,362
Employee costs	(31,336)	(28,317)	3,021	(106,382)
Materials and services (inclusive of GST)	(18,995)	(23,516)	(4,521)	(69,905)
Net FSPL refund / payment	4,817	4,842	25	-
	<u>7,521</u>	<u>5,015</u>	<u>(2,506)</u>	<u>36,852</u>
Interest	144	834	690	2,384
Trust funds and deposits	-	427	427	-
Net GST refund / payment	1,555	2,579	1,024	3,389
Net cash provided by operating activities	<u>9,220</u>	<u>8,856</u>	<u>(364)</u>	<u>42,625</u>
Cash flows from investing activities				
Proceeds from sale of property, plant & equipment	208	85	(123)	803
Payment for property, infrastr, plant & equipment	(1,811)	(7,754)	(5,943)	(31,844)
Repayment of loans and advances	-	-	-	9
Payment for other financial assets	-	-	-	-
Net cash used in investing activities	<u>(1,604)</u>	<u>(7,669)</u>	<u>(6,066)</u>	<u>(31,032)</u>
Cash flows from financing activities				
Finance costs	(402)	(419)	(17)	(1,608)
Repayment of borrowings	(1,047)	(1,050)	(3)	(4,237)
Net cash used in financing activities	<u>(1,449)</u>	<u>(1,469)</u>	<u>(20)</u>	<u>(5,845)</u>
Net increase / (decrease) in cash & cash equivalents				
	6,167	(282)	(6,450)	5,748
Cash & cash equivalents at the beginning of the year	<u>48,356</u>	<u>64,872</u>	<u>16,516</u>	<u>48,356</u>
Cash & cash equivalents at the end of the period	<u>54,523</u>	<u>64,590</u>	<u>10,066</u>	<u>54,104</u>

Note: Cash and cash equivalents at the beginning of the year includes term deposits with a maturity date exceeding 90 days which are classified as other financial assets in the Balance Sheet (\$31.52M).

Financial Report

3 months ended 30 September 2024

DAREBIN CITY COUNCIL

Statement of Cash Flow

For the 3 months ended 30 September 2024

Reconciliation of cash flows from operating activities to surplus

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Surplus for the year	116,667	116,508	(159)	10,193
Items not involving cash or non operating in nature				
Depreciation and amortisation	7,061	8,669	1,608	28,247
Interest expense	402	399	(3)	1,608
Net (gain) / loss on sale of assets	(52)	(83)	(31)	(730)
Decrease / (Increase) in trade and other debtors	(119,663)	(118,208)	1,455	(294)
Decrease / (Increase) in other operating assets	67	994	927	(6)
(Decrease) / Increase in Trade creditors	(325)	(4,700)	(4,375)	5,778
(Decrease) / Increase in other operating liabilities	4,763	5,643	880	(2,171)
(Decrease) / Increase in provisions	300	(364)	(664)	0
	<u>(114,858)</u>	<u>(116,635)</u>	<u>(1,777)</u>	3,307
Net cash provided by operating activities	<u>9,220</u>	<u>8,856</u>	<u>(364)</u>	42,625



Financial Report

3 months ended 30 September 2024

DAREBIN CITY COUNCIL

Statement of Capital Works

For the 3 months ended 30 September 2024

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Budget & CFWDs \$'000
Capital works					
Property					
Land	-	3	(3)	1,220	1,100
Buildings	436	1,542	(1,106)	9,223	12,695
Building improvements	-	4	(4)	140	140
Total property	436	1,549	(1,113)	10,583	13,935
Plant & equipment					
Plant, machinery & equipment	276	89	187	2,130	2,160
Fixtures, fittings & furniture	-	4	(4)	50	50
Computers & telecommunications	195	178	17	3,160	4,362
Library books	272	179	93	800	800
Total plant & equipment	743	450	293	6,140	7,372
Infrastructure					
Roads	100	42	58	5,843	5,606
Bridges	2	-	2	119	119
Footpaths & cycleways	-	52	(52)	3,016	3,266
Drainage	48	208	(160)	1,990	2,270
Land Improvements	40	105	(65)	737	969
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Waste management	82	85	(3)	330	330
Parks, open space & streetscapes	338	221	117	2,792	3,004
Off-street car parks	2	-	2	95	95
Total infrastructure	632	749	(117)	15,121	16,005
Total capital works	1,811	2,748	(937)	31,844	37,313
Represented by:					
Asset renewal	1,278	1,940	(662)	22,468	26,327
New assets	352	533	(181)	6,182	7,245
Asset expansion	40	61	(21)	705	827
Asset upgrade	142	215	(73)	2,489	2,917
Total capital works	1,811	2,748	(937)	31,844	37,313

9.3 GOVERNANCE REPORT - DECEMBER 2024

Author: Coordinator Governance Services

Reviewed By: Acting General Manager Customer & Corporate

EXECUTIVE SUMMARY

- Summary of Councillor attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors. **(Appendix A)**
- Appointment of Councillor Delegates to:
 - State-wide, Metropolitan, Regional and Darebin-based Organisations **(Table A)**
 - Council Advisory Committees and Community Reference Groups **(Table B)**
 - Audit and Risk Committee and CEO Employment Matters Committee **(Table C)**
- Freedom of Information (FOI) Statistics for Quarter 1 FY 2024/25, 1 July to 30 September 2024 **(Table D)**
- Bi-annual confidential resolutions review for the period of 1 June 2024 to 1 December 2024 **(Table E)**
- Audit and Risk Committee matters **(Appendices C, D, E, F and G)**
- Councillor expenses for Quarter 1 FY 2024/25, 1 July to 30 September 2024 **(Appendix H)**
- General Planning Information - Applications determined by VCAT, December 2024 **(Appendix I)**

Officer Recommendation

That Council:

- (1) Notes the Governance Report – December 2024.
- (2) Notes the Summary of attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (4) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (5) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (6) Notes the Freedom of Information (FOI) statistics for Quarter 1 FY 2024/25, 1 July to 30 September 2024 **(Table D)**.

- (7) Notes the confidential items considered by Council from 1 June 2024 to 1 December 2024 listed in **Table E**, that have been reviewed and are required to remain confidential.
 - (8) Notes the Summary Minutes of the Special Audit and Risk Committee Meeting held on 30 May 2024 (**Appendix C**) and the Summary Minutes of the Audit and Risk Committee Meeting held on 25 June 2024 (**Appendix D**).
 - (9) Endorses the Audit and Risk Committee Charter (**Appendix E**).
 - (10) Appoints _____ as an independent member on Council's Audit and Risk Committee for a term of three years (from 1 January 2025) in accordance with the Audit and Risk Committee Charter and as per the recommendation in confidential (**Appendices F and G**).
 - (11) Notes the Councillor Expenses for Quarter 1 FY 2024/25 - 1 July to 30 September 2024 - (**Appendix H**)
 - (12) Notes the General Planning Information - Applications determined by VCAT – December 2024 (**Appendix I**).
-

BACKGROUND / KEY INFORMATION

In accordance with Council's Governance Rules 2020, the agenda for each Ordinary Meeting is required to list certain governance/administrative matters in addition to other specified items.

These include Reports of Standing Committees i.e. Hearing of Submissions Committee, Summary of Meetings i.e. Briefings, Advisory Committee, responses to Public Questions taken on notice, reports by Mayor and Councillors, Councillor expenses and a range of other governance matters.

In accordance with best practice, good governance principles, transparent and accountable reporting, officers deem it appropriate to consolidate governance/administrative reports into one standing report to provide a single reporting mechanism for a range of statutory compliance, transparency, and governance matters. This also ensure compliance with the requirements of the *Local Government Act 2020* ('the Act'), Council's Governance Rules and related regulations.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

DISCUSSION

Matters covered in this report for the month of December 2024 are:

Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors

Council's Governance Rules 2020 require any meeting of an Advisory Committee established by Council and attended by at least one Councillor, or a scheduled or planned meeting to discuss the business of Council, including briefing Councillors, and which is attended by at least half of the Councillors and one member of Council staff (excluding Council, Delegated Committee or Community Asset Committee meetings), the Chief Executive Officer must ensure that a summary of the meeting is:

- a) Tabled at the next convenient Council meeting; and
- b) Recorded in the minutes of that Council meeting.

The Advisory Committees, Councillor Briefings or other Informal Meetings of Councillors are summarised at **Appendix A**.

Appointment of Councillors to State-wide, Metropolitan, Regional and Darebin-based Organisations, Council Advisory Committees and Community Reference Groups, Standing Committees - Audit and Risk Committee and CEO Employment Matters Committee

Each year Council nominates Councillors to various State-wide, Metropolitan, Regional and Darebin-based Organisations, Council Advisory Committees and Community Reference Groups, and Standing Committees. An overview of the committees is attached at **Appendix B**.

It should be noted that these appointments represent only those bodies where Council is required to make a decision annually about its delegate or appointee.

State-wide, Metropolitan, Regional and Darebin-based organisations

Appropriate representation on state-wide, metropolitan, regional and Darebin-based organisations enables Council to further its advocacy and engagement goals, and to gather information about sector opportunities and emerging issues, to inform decision-making.

Table A - State-Wide, Metropolitan, Regional and Darebin-Based Organisations

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2024/25
Municipal Association of Victoria	One Councillor and one proxy	
M9 Alliance	Mayor of Day and proxy CEO	
Local Government Mayor Taskforce on People Seeking Asylum	Mayor of Day and proxy	
Friends of Baucau Inc.	One Councillor	
Climate Emergency Australia	One Councillor	
Metropolitan Transport Forum	One Councillor	
Northern Alliance for	One Councillor	

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2024/25
Greenhouse Action		
Northern Council Alliance	Mayor of the Day, one proxy and Chief Executive Officer	
Merri Merri Wayi	One Councillor	
Darebin Ethnic Communities Council	Two Councillors	
Darebin Creek Management Committee Inc.	One Councillor <i>(This is a legally separate Incorporated Association of which Council is a member. Committee members need to act in the Association's interests when in this role (it is not a representative role). Council can nominate up to 2 committee members but does not have to. The AGM of the Association receives Council's nomination and then decides whether to appoint the nominee. Historically it has nominated 1 Councillor.)</i>	
Merri Creek Management Committee Inc.	One Councillor <i>(This is a legally separate Incorporated Association of which Council is a member. Committee members need to act in the Association's interests when in this role (it is not a representative role). The AGM of the Association receives Council's nomination and then decides whether to appoint the nominee.)</i>	

Council Advisory Committees and Community Reference Groups

Council has established a number of Community Advisory Committees and Community Reference Groups to facilitate community participation and input into policy and service development, and to assist with facility, project and event management.

These Committees typically comprise one or more Councillors, Council Officers and a number of community representatives. The community representatives can be local residents or stakeholders appointed in their own right or representatives of service authorities, support agencies or community organisations.

The progress, advice and recommendations of these Committees is reported to Council through formal Officer reports (supplemented from time to time by verbal reports by Councillors).

It should be noted that all Council Advisory Committees and Reference Groups sunset on 30 June 2025 and a full review will be conducted to consider which Committees should be reestablished, along with review of the terms of reference.

Table B - Council Advisory Committees and Community Reference Groups

Community Committee	Advisory	Nominees required (Based on adopted Terms of Reference)	Appointments 2024/25
Active and Healthy Ageing Advisory Committee		One Councillor nominated as Chair of the Committee, and one as a proxy	
Art and Heritage Advisory Panel		One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	
Climate Emergency Darebin Advisory Committee		One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	
Darebin Aboriginal Advisory Committee		One Councillor nominated as Chair of the Committee and one as a proxy	
Darebin Community Awards Advisory Committee		The current Mayor nominated as the Chair of the Committee and one as a proxy	
Darebin Disability Advisory Committee		One Councillor nominated as Chair of the Committee and one as a proxy	
Darebin Domestic Animal Management Reference Group		One Councillor nominated as Chair of the Committee and one as a proxy	
Darebin Education Network		One Councillor nominated as Chair of the Committee and one as a proxy	
Darebin Interfaith Council		One Councillor nominated as Chair, and a community member as co-chair of the Committee, and one Councillor as a proxy	
Darebin Nature Trust		Three Councillors, one nominated as Chair and a community member as co-chair of the Committee, two Councillors as members with one being proxy.	
Gender Equity Advisory Committee		One Councillor nominated as Chair of the Committee and one as a proxy	
Darebin LGBTIQA+ Advisory Committee		One Councillor nominated as Chair of the Committee and one as a proxy. Note: One Councillor must be a female	
Edwardes Lake Water Quality Task Force		One Councillor nominated as Chair of the Committee and one as a proxy.	
Young Citizens Jury		Young citizen Councillor(s) appointed by Council annually and a Council Officer nominated by the Chief Executive Officer (both non-voting). No Councillor appointment.	
Community Committee	Advisory	Nominees required (Based on adopted Terms of Reference)	Appointments 2024/25

Standing Committees

These committees make decisions on behalf of Council and provide advice on specific areas of Council business. Standing committees are formal committees that either make decisions on behalf of Council, manage a service or facility on behalf of Council, or advise and recommend to Council on a specific area of Council's functions or responsibilities.

Depending on their role and the need for delegated power, standing committees can either be a Delegated committee or an advisory committee.

The Audit and Risk Committee (ARC) is a committee established in accordance with section 53 and 54 of the *Local Government Act 2020* (the Act) to assist Council in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

In accordance with section 53 (2) of the Act, the Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility.

The CEO Employment Matters Committee is an Advisory Committee appointed for the purpose of assisting Council in fulfilling its responsibilities relating to CEO employment matters.

Table C - Standing Committees

Standing Committees	Advisory	Nominees required (Based on adopted Charter and/or the Local Government Act)	Appointments 2024/25
Audit and Risk Committee		Two Councillors (one of which is proposed in the revised draft Terms of Reference before Council for endorsement at this meeting, to be the Mayor)	
CEO Employment Matters Committee		When there is a vacancy in the position of CEO and the Committee is advising Council on the recruitment and appointment process: <ul style="list-style-type: none"> • Independent Chair • All Councillors All other times: <ul style="list-style-type: none"> • Independent Chair • Mayor • Deputy Mayor 3 Councillors	

Freedom of Information

The *Freedom of Information Act 1982* extends as far as possible, the right of the community to access information in the possession of the government bodies constituted under the law of Victoria (such as Council) for certain public purposes by:

- a. *making available to the public information about the operations of agencies and, in particular, ensuring that rules and practices affecting members of the public in their dealings with agencies are readily available to persons affected by those rules and practices; and*
- b. *creating a general right of access to information in documentary form in the possession of Ministers and agencies limited only by exceptions and exemptions necessary for the protection of essential public interests and the private and business affairs of persons in respect of whom information is collected and held by agencies.*

As part of Councils commitments made under the Public Transparency Policy, a snapshot of the number of FOI requests made to date for the current financial year (2024 - 25) and the outcomes of those requests will be presented to Council on a quarterly basis.

Table D

FOI statistics: Q1 FY 2024-2025	COUNT	COMMENTS
Total Number of Active Requests	9	
Total Number of Request Received (FY 2024-25)	19	
Total Number of Active Requests from Q1:	2	
Total number of inactive requests	-	
Access granted in full (no exempt material)	10	
Access granted in part (some exempt material)	1	
Access denied in full (all material exempt)	-	
Withdrawn	2	
Administrative Release	1	
Not Proceeded With	2	
Act does not apply		
No Documents found	1	
Not yet finalised (60 days to pass) per s34 of the FOI Act	-	
Not yet finalised		
VCAT appeals lodged		
Outcome of VCAT Decision on Appeals Arising from Your Decision on Access		
VCAT confirmed agency decision	-	
VCAT varied agency decision	-	
VCAT Overturned agency decision	-	

Bi-annual confidential resolutions review & confidential information to be made public.

At the Special Council Meeting 12 February 2024, Council resolved:

That Council:

- (1) *Notes that section 58 of the Local Government Act states that the “Council decision making processes must be transparent” except if dealing with information that is confidential.*
- (2) *Notes Darebin’s Public Transparency Policy that council has “committed to being accountable to the community through transparency” and “may decide, in the interests of transparency, to release information to the public, if it is in the public’s interest” and when the decision is no longer required to be confidential.*
and
- (7) *Pursuant to s 125(2) of the Local Government Act 2020, requests the Chief Executive Officer to undertake a review of reports deemed to be confidential on a six-monthly basis and makes a recommendation to Council for reports to be released to the public domain, commencing with the first recommendation to be made to Council at the Ordinary Council meeting to be held Monday, 27 May 2024.’*

Table E - Confidential items considered by Council during the period of 1 June 2024 to 1 December 2024:

#	Confidential Meeting Date	Agenda Item	Resolution to be made public / or date made public / or confidential reason
1	17 June 2024 - Special Council Meeting	Item 7.1 - CEO Performance Review	<p>This report is to remain confidential pursuant to Section 3(1) (f) of the Act.</p> <p>This item is designated confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Act.</p>
2	29 July 2024 - Special Council Meeting	Item 6.1 - CEO Employment Matters	<p>This report is to remain confidential pursuant to Section 3(1) (f) of the Act.</p> <p>This item is designated confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Act.</p>
3	14 August 2024 - 5.30pm Special Council Meeting	Item 6.1 Confidential - Contractual Matter	<p>This report is to remain confidential pursuant to Section 3(1) (f) of the Act.</p> <p>This item is designated confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Act.</p>
4	14 August 2024 - 6.00pm Special Council Meeting	7.1 Planning Matter - receipt of legal advice	<p>This report is to remain confidential pursuant to Section 3(1) (e) of the Act.</p> <p>This item is confidential because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Act.</p>
5	16 September 2024 - Ordinary Council Meeting	13.1 Response to process change proposed by Melbourne Water	<p>This report is to remain confidential pursuant to Section 3(1) (c) and (e) of the Act.</p> <p>This item is confidential because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values and legal privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (c) and (e) of the Act.</p> <p>It summarises elements of legal advice that Council may rely on in future and relates to land use planning that could result in speculation if released early.</p>
		13.2 Appointment of Interim CEO	<p>An announcement of the appointment of the interim CEO was made public on 24 September 2024 via Council's social media platforms.</p> <p>The report is to remain confidential pursuant to Section 3(1) (f) of the Act, because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Act.</p>

Audit and Risk Committee Matters**Audit and Risk Committee Meeting Summary Minutes – 30 May 2024.**

The summary minutes for the Special Audit and Risk Committee meetings held on 30 May 2024 (**Appendix B**) are attached to this report and are provided for transparency for both Council and the Darebin Community.

Audit and Risk Committee Meeting Summary Minutes – 25 June 2024.

The summary minutes for the Special Audit and Risk Committee meetings held on 25 June 2024 (**Appendix C**) are attached to this report and are provided for transparency for both Council and the Darebin Community.

Audit and Risk Committee Charter

The Audit and Risk Committee (the Committee) Charter is reviewed annually and was presented to the Committee for discussion and formal review at its meeting held on 4 September 2024.

The revised Charter was approved by the Committee and is attached at **Appendix D** for Council endorsement.

Appointment of Independent Member to Audit and Risk Committee

The Audit and Risk Committee (the Committee) is a committee established in accordance with section 53 and 54 of the *Local Government Act 2020* (the Act) to assist Council in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

Dr Marco Bini, one of the Committee's external members, is due to complete his term of appointment on 31 December 2024 after serving two three-year terms on the Committee.

An expression-of-interest for a new external member was advertised on SEEK, LinkedIn, the Saturday Age, and Council's website in August and September 2024. A selection panel comprising the Independent Chair Audit and Risk Committee, Acting General Manager Customer and Corporate and Audit and Compliance Officer have recommended a preferred candidate for appointment to the committee from 1 January 2025. Details relating to the selection process and the preferred candidate are attached in **confidential Appendices E and F**.

Councillor Expenses – Quarter 1 from 1 July 2024 to 30 September 2024

Councillor Expenses Report for the period from 1 July 2024 to 30 September 2024, are included at **Appendix H** to this report. The Councillor Expenses report will also be made available on Council's website.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES**Financial Management**

Not Applicable.

Community Engagement

Not Applicable.

Other Principles for consideration**Overarching Governance Principles and Supporting Principles**

(i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

(a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

Not Applicable.

Service Performance Principles

Not Applicable

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

Not applicable.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Not applicable.

Economic Development and Cultural Considerations

Not applicable.

Operational Impacts

Not applicable.

Legal and Risk Implications

Not applicable.








IMPLEMENTATION ACTIONS

Council's website will be updated to reflect the change to the various Committee appointments. The Councillor expenses will also be published on the website.

RELATED DOCUMENTS

- *Local Government Act 2020*
- Governance Rules

Attachments

- Governance Report 16 December 2024 Summary of Councillor Attendance Records (**Appendix A**) [↓](#) 
- Overview of Committees (**Appendix B**) [↓](#) 
- Summary Minutes - Special ARC Meeting - 30 May 2024 (**Appendix C**) [↓](#) 
- Summary Minutes - ARC Meeting - 25 June 2024 (**Appendix D**) [↓](#) 
- Revised ARC Charter - December 2024 - Marked Up Changes for Council (**Appendix E**) [↓](#) 
- Confidential Selection Report External Member Audit and Risk Committee - November 2024 FINAL (**Appendix F**) Confidential - enclosed under separate cover
- Confidential Recommended Independent Audit and Risk Committee Member CV (**Appendix G**) Confidential - enclosed under separate cover
- Q1 2024-25 Councilor Expenses (**Appendix H**) [↓](#) 
- General Planning Information - Applications determined by VCAT (**Appendix I**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing Session
	Date:	2 September 2024
	Location:	Council Chamber (Hybrid Meeting) Virtual Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson) Cr. Laurence (Deputy Mayor) (5.17pm) Cr. Dimitriadis (online) Cr. Greco (online) Cr. Hannan Cr. Messina Cr. Rennie Cr. Williams (4.12pm)
	Council Staff:	Peter Smith CEO Rachel Ollivier, General Manager Infrastructure, Operations and Finance Kylie Bennetts, General Manager Community Vanessa Petrie, General Manager City Sustainability and Strategy Kylie Green, Organisational Culture Lead Melanie McCarten, Manager Recreation and Libraries Wendy Dinning, Manager Equity and Wellbeing Uncle Stuart McFarlane, Aboriginal Affairs Officer (online) Grace Quinn-Foster, Strategic Project Officer (Aboriginal Affairs) (online) Chad Griffiths, Manager City Development Michelle Burton, Coordinator Climate Emergency and Environment Programs Lisa Wheelhouse, Manager Customer and Transformation Kassia Gibbs, Coordinator Corporate Strategy Emma Pase, Manager Creative Culture and Economic Development Jody Brodribb, Coordinator Governance Services
	External Attendees:	June Anstee - Municipal Monitor (online) Ross Millard - Municipal Monitor Representative from InSync
APOLOGIES:		Cr. McCarthy, Cr. Rennie

The Meeting commenced at 4.02pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Staff Engagement Survey Results 2024	No disclosures made.
4.2	KP Hardiman Pavilion Redevelopment	No disclosures made.
4.3	Land management	No disclosures made.
4.4	Sociodemographic profiles of Darebin's migrant community by era of settlement	No disclosures made.
4.5	Deliberative Engagement Panel Dilemmas Update for the Our Darebin Project	No disclosures made.
4.6	Northern Innovation & Sustainability Precinct (NISP) Presentation	No disclosures made.
4.7	(Info Only) State Government Development Facilitation applications update: Little Sisters of the Poor and 235-239 Separation Street	No disclosures made.
4.8	General Business	No disclosures made.

The Meeting concluded at 6.26pm

RECORD COMPLETED BY:	Officer Name:	Jody Brodribb
	Officer Title:	Coordinator Governance Services



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing Session
	Date:	9 September 2024
	Location:	Council Chamber (Hybrid Meeting)
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson) Cr. Laurence (Deputy Mayor) (from 5.26pm) Cr. Dimitriadis Cr. Greco Cr. Hannan Cr. McCarthy Cr. Rennie Cr. Williams
	Council Staff:	Peter Smith CEO Rachel Ollivier, General Manager Infrastructure, Operations and Finance Kylie Bennetts, General Manager Community Vanessa Petrie, General Manager City Sustainability and Strategy Enna Giampiccolo, Acting General Manager, Customer and Corporate Chad Griffiths, Manager City Development (Item 4.1) Jack Allworth, Principal Planner (Item 4.1) Jolyon Boyle, Coordinator, Priority Development (Item 4.1) Hamish Jacobsen, Acting Strategic Planning Coordinator Allan Middlemast, Acting Manager Climate Emergency & Sustainable Transport (Item 4.2) Stephanie Kuisma, Senior Sustainability Programs Officer (Item 4.2) Wendy Dinning, Manager Equity and Wellbeing (Item 4.3) Amelia Basset, Human Rights Officer (Item 4.3) Srini Krishnan, Chief Financial Officer (Item 4.4) Michael O'Riordan, Coordinator Financial Accountant (Item 4.4)
	External Attendees:	June Anstee - Municipal Monitor Ross Millard - Municipal Monitor
APOLOGIES:		Cr Lina Messina

The Meeting commenced at 4.04 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Pre-Planning Committee Meeting Questions/Discussion Time for Councillors	No disclosures made.
4.2	Food Resilience Scoping Study Update	No disclosures made.
4.3	Community Engagement Findings - LGBTIQ+ Action Plan	No disclosures made.
4.4	Draft 2023-24 Annual Financial Report and Performance Statement	No disclosures made.
4.5	Council Meeting Agenda Questions	No disclosures made.
4.6	General Business	No disclosures made

The Meeting concluded at 5.33pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Acting General Manager, Customer and Corporate



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Darebin Gender Equity Advisory Committee
	Date:	Tuesday 10 September 2024 (Meeting 3)
	Location:	Council Conference Room
PRESENT:	Councillors	Cr. Susan Rennie
	Council Staff:	<ul style="list-style-type: none"> • Kathie Duncan, Coordinator Equity and Diversity. • Jade Myconos, Gender Equity Officer. • Ania Sieracka, Senior Adviser, Diverse Communications and Engagement (left at 6.30pm) • Lisa Joyce, Team Leader Community Engagement and Demographics (left at 6.30pm)
	Other:	<p><u>Advisory Committee members:</u> <u>In person:</u> Alannah G, Rebekah G, Amanda W (arrived at 6pm), Sarah L, Max T, Lumina R, Greta DS, Joan WN, Ellie S from WHIN Rosa V.</p> <p><u>Online:</u> Susmita D, Zoe B Note: due to audio technical issues in the venue, people attending online could not hear the meeting and as a result were unable to participate. At 6.25pm online members left the meeting due to this issue.</p>
APOLOGIES:		Lucia B, Carmen LJ, Megan B,

The Meeting commenced at 5.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Darebin Community Vision and Council Plan consultation	<p>Councillor Dimitriadis and committee member Carmen Lahiff-Jenkins are absent from tonight's meeting in response to Darebin's Governance Rule 8.1.1 (5):</p> <p><i>Any person appointed to an Advisory Committee</i></p>

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
		<i>that nominates for election to Council, State Parliament or Federal Parliament must take leave of absence from their Committee position from the time of declaring they have nominated (or intend to nominate). If elected, they will be deemed to have resigned from the Committee.</i>
2	Gender Equity Updates	

The Meeting concluded at 7.17pm

RECORD COMPLETED BY:	Officer Name: Jade Myconos Officer Title: Gender Equity Officer
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SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing Session
	Date:	2 December 2024
	Location:	Council Chamber (Hybrid Meeting)
PRESENT:	Councillors:	Cr. Olaris OAM (Mayor) (Chairperson) Cr. Dimitriadis (Deputy Mayor) Cr. Matt Arturi Cr. Boglis OAM Cr. Greco Cr. Jelley Cr. O'Brien Cr. Sangster Cr. Tsalkos
	Council Staff:	Michael Tudball Interim CEO Enna Giampiccolo, General Manager Customer and Corporate (item 4.4, 4.7, 4.9) Rachel Ollivier, General Manager Infrastructure, Operations and Finance (item 4.5, 4.10) Melanie McCarten, General Manager Community Vanessa Petrie, General Manager City Sustainability and Strategy (item 4.6, 4.8) Melanie McCarten, Manager Recreation and Libraries Caroline Buisson, General Manager Project Support Valli Morphett, Manager Creative Culture and Economic Development (item 4.1, 4.2) Leah Crossman, Arts Collections and Marketing Coordinator (item 4.2) Jo Smale, Manager Community Services & Development (item 4.3) Clare Griffin, Coordinator Community Planning and Initiatives (item 4.3) Lisa Wheelhouse, Manager Customer and Corporate Performance (item 4.4 and 4.5) Ania Sieracka, Acting Lead, Community Engagement and Demographics (item 4.4) Srini Krishnan, Chief Financial Officer (item 4.5) Kassia Gibbs, Coordinator Corporate Strategy and Performance (4.5) Shannon Maynard, Special Advisor, City Safety

		& Compliance (item 4.6) Allan Middlemast, Acting Manager City Futures (item 4.8) Lalitha Koya, Chief Information Officer (item 4.9) Peter Strods, Coordinator IT Project Services (item 4.9) Lee McKenzie, Manager Assets & Capital (item 4.3 and 4.10)
	External Attendees:	June Anstee - Municipal Monitor Ross Millard - Municipal Monitor Todd Beavis, ie Community (item 4.4)
APOLOGIES:		N/A

The Meeting commenced at 4.05 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.0	Briefing Agenda Overview	
4.1	Municipal Festive Season 2024	
4.2	Migration Public Artwork Location Selection	
4.3	Kindergarten Expansion Program	Vanessa Petrie, General Manager City Sustainability and Strategy declared a general conflict due to a family member's senior role in the State Government education department and left the meeting for this item.
4.4	Our Darebin Project - Communications & Engagement	
4.5	2024-25 Q1 Performance Report (financial and non-financial) ending 30 September 2024	
4.6	General Local Law Review	
4.7	2024/2025 Councillor Appointments to Committees	
4.8	Preston Central Activity Centre Program Submissions	
4.9	CONFIDENTIAL - Contract Award - CT202445 Provision of IT Hardware - Supply & Delivery Laptop Devices	
4.10	CONFIDENTIAL - CT 202425 CONTRACT AWARD FOR KP HARDIMAN RESERVE PAVILION	

The Meeting concluded at 9.07 pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	General Manager Customer and Corporate

STATE-WIDE, METROPOLITAN AND REGIONAL ORGANISATIONS

Municipal Association of Victoria	
Purpose	The Municipal Association of Victoria (MAV) is a peak representative and lobbying body for Victorian Councils. The MAV's purpose is to protect and promote the democratic status, autonomy and efficient carrying out of local government for the benefit of Victorian communities.
Membership	Each member Council appoints a representative to the MAV. MAV Management Board comprises the President (directly elected) and one representative of each of the 12 regional groupings of Councils. Darebin City Council is in the Metropolitan Central Region.
Representation	Council is represented by a Councillor and a proxy delegate can be appointed.
Meetings	The MAV State Council, an annual conference and other occasions as major issues arise. Opportunities exist to work on sub-committees on specific issues. Opportunity to be elected by the regional grouping Councils to the MAV Board. The MAV Board meets monthly.
Liaison Officer	Chief Executive Officer

M9 Alliance	
Purpose	Melbourne 9 (M9) is an alliance of the nine inner Melbourne councils that work cooperatively and collectively advocate for issues and projects of mutual interest. M9 represents 1 in 5 Victorians and more than a third of Victoria's Gross State Product.
Membership	M9 includes the cities of Melbourne, Darebin, Hobsons Bay, Maribyrnong, Merri-bek, Moonee Valley, Port Phillip, Stonnington, and Yarra.
Representation	Council is represented by the Mayor of Day (and proxy) and the CEO.
Meetings	Monthly
Liaison Officer	Chief Executive Officer

Local Government Mayor Taskforce on People Seeking Asylum	
Purpose	Coordination of joint state-wide advocacy by Australian Local Government Councils to address policies and guidelines affecting humanitarian arrivals. This is achieved in collaboration with peak refugee and people seeking asylum organisations. Other issues relating to humanitarian arrivals where collaboration by Councils would be of benefit.
Membership	The Taskforce is made up of over 40 Councils nationwide. The City of Darebin is an Executive Member of the Taskforce.
Representation	Mayor of Day and proxy
Meetings	As called.
Liaison Officer	Chief Executive Officer

Friends of Baucau Inc.	
Purpose	Friends of Baucau Inc. provides a forum for those in the community who wish to demonstrate active support for the Darebin–Yarra Friendship Agreement with the Baucau region of East Timor.
Membership	Councillors and community representatives of Darebin and Yarra municipalities.
Meetings	Monthly meetings are hosted alternatively by Yarra and Darebin Councils. Sub-groups have been established.
Representation	Council is represented by a Councillor
Liaison Officer	Coordinator Equity, Wellbeing and Inclusion

Climate Emergency Australia	
Purpose	Climate Emergency Australia works to highlight the impacts of climate change and what other tiers of government, such as Federal and state, can do. This includes reducing their own emissions, providing supportive policy frameworks, and funding climate change mitigation and adaptation interventions.
Membership	Mayors of member councils
Meetings	TBC
Representation	One Councillor
Liaison Officer	Manager Equity and Climate

Metropolitan Transport Forum	
Purpose	The Metropolitan Transport Forum (MTF) is an advocacy group comprising members from Melbourne metropolitan local government, associate members representing transport companies, and participants from the State Government and environment groups.
Membership	The MTF is primarily a local government organisation with 24 local government members from metropolitan Melbourne. The MTF also has 18 associate members from the transport sector.
Representation	Council is represented by a Councillor and a Council Officer.
Meetings	MTF has general meetings monthly and an AGM. Standing committees or sub-committees are established as required.
Liaison Officer	Coordinator Sustainable Transport

Northern Alliance for Greenhouse Action	
Purpose	<p>The Northern Alliance for Greenhouse Action (NAGA) formed in 2002 as a network that shares information, coordinates emission reduction and adaptation activities and cooperates on the research and development of innovative projects.</p> <p>NAGA's goal is to substantially contribute to the transition to a low-carbon future by delivering effective programs and leveraging local government, community and business action.</p>
Membership	NAGA's members are the Cities of Banyule, Darebin, Hume, Manningham, Melbourne, Moreland, Whittlesea, Yarra, Nillumbik Shire Council and the Moreland Energy Foundation Limited (MEFL).
Representation	Council is represented by a Councillor.
Meetings	Meetings are quarterly with at least three meetings per year.
Liaison Officer	Manager City Futures

Global Covenant of Mayors for Climate & Energy	
Purpose	The Global Covenant of Mayors for Climate and Energy is an international alliance of cities and local governments with a shared long-term vision of promoting and supporting voluntary action to combat climate change and move to a low emission, resilient society.
Membership	Mayors of member councils
Representation	Mayor of the Day
Meetings	No scheduled meetings
Liaison Officer	Manager Equity and Climate

Northern Councils Alliance	
Purpose	The Northern Councils Alliance represents and works collectively for almost one million people who live across seven municipalities. As a group of Councils, we are committed to working as a whole to deliver and advocate for ongoing improvements to the economic, social, health and wellbeing of its residents and businesses both current and future.
Membership	One appointed Councillor and Chief Executive Officer from the following municipalities: Banyule, Darebin, Hume, Mitchell, Moreland, Nillumbik and Whittlesea
Representation	Council is represented by a Councillor and the Chief Executive Officer. The Alliances Charter provides that where possible the appointed Councillor representative be appointed for term of two years up to four years
Meetings	As required
Liaison Officer	Chief Executive Officer

Darebin Organisations

Merri Merri Wayi	
Purpose	A community-led collaboration to enable our natural and urban worlds to thrive along the Merri Creek.
Membership	City of Merri-bek, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation, CERES and other partners
Representation	One Councillor
Meetings	TBC
Liaison Officer	Coordinator Natural Environment and Partnerships

Darebin Ethnic Communities Council	
Purpose	Darebin Ethnic Communities Council (DECC) is a peak body representing over 50 ethnic groups and associations. Its purpose is to advise and contribute to the development of policies that determine provision of Council's services to meet the needs of its residents from culturally and linguistically diverse background.
Membership	Membership is open to individuals and community groups. A Steering Committee is appointed at the AGM.
Representation	DECC is represented by two Councillors who are automatically members of the Steering Committee.
Meetings	Meets monthly at Darebin Intercultural Centre.
Liaison Officer	Coordinator Equity, Wellbeing and Inclusion

Darebin Creek Management Committee Inc.	
Purpose	Darebin Creek Management Committee (DCMC) is an incorporated association established by member councils to coordinate the planning and development of Darebin Creek.
Membership	Representation on the Committee comprises Darebin, Yarra, Banyule and Whittlesea Councils and La Trobe University. Darebin Council can nominate up to two persons to be members of the Committee, and they may be a Councillor, staff member, or a member of the community, or any combination thereof.
Representation	DCMC's preference is for one Councillor and one Officer.
Meetings	The Committee meets every 2 months. There is an AGM and sub-Committees have been appointed.
Liaison Officer	Coordinator Natural Environment and Partnerships

Merri Creek Management Committee Inc.	
Purpose	Merri Creek Management Committee (MCMC) is an Incorporated Association established by member Councils to coordinate the planning and development of Merri Creek.
Membership	Representation on the Committee comprises member Councils of Yarra, Darebin, Moreland, Whittlesea, Mitchell and Hume and representatives of 'Friends of Merri Creek' and Friends of Wallan Creek. Darebin Council can nominate 2 persons to be members of the Committee, which includes a nominated substitute, and they may be a Councillor or staff member.
Representation	MCMC's preference is for one Councillor and one Officer.
Meetings	The Committee meets every 3 months. There is an AGM and sub-committees have been established.
Liaison Officer	Coordinator Natural Environment and Partnerships

STANDING COMMITTEES

Audit and Risk Committee

Council has established an Audit and Risk Committee (the ARC) under Section 53 of the *Local Government Act 2020*.

The Committee is governed by its Charter that sets out the composition of the Committee and its role to assist Council in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

This is an Advisory Committee and does not have any delegated powers, including executive powers, management functions or delegated responsibility.

Councillor members will be appointed for a one-year term of office. The external members are to be appointed for a two-year term, with an option for a further two-year term by mutual consent.

Membership:	Two Councillors and three external members
Chair:	Independent Chairperson
Quorum:	Three Members
Meeting Frequency:	At least four times each year
Reporting:	The Committee reports to a subsequent meeting of the Council.

CEO Employment Matters Committee

The CEO Employment Matters Committee is an Advisory Committee appointed for the purpose of assisting Council in fulfilling its responsibilities relating to CEO employment matters in line with the CEO Employment and Remuneration Policy 2021.

Membership:	When there is a vacancy in the position of CEO and the Committee is advising Council on the recruitment and appointment process: <ul style="list-style-type: none"> • Independent Chair • All Councillors All other times: <ul style="list-style-type: none"> • Independent Chair • Mayor • Deputy Mayor • 3 Councillors
Chair:	Independent Chairperson
Quorum:	Four members including the Independent Chair (present in person or remotely)
Meeting Frequency:	Biannually or as required if during a recruitment period
Reporting:	The Committee reports as required to a subsequent meeting of the Council.

ADVISORY COMMITTEES AND REFERENCE GROUPS

Active and Healthy Ageing Community Board

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- Issues, policies and drivers that influence services delivered to residents ageing in Darebin.
- The implementation of Age Friendly Darebin Activities.

Required Councillors	Three Councillors, one to be nominated as Committee Chairperson
Other Committee Members	12 Community Representatives Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Manager Community Services & Development

Art and Heritage Advisory Panel

The Art and Heritage Advisory Panel provides expert advice and support to achieving the visual art, public art and heritage interpretation projects, services and activities that Darebin Council provides to our community.

Required Councillors	One Councillor, one proxy The current terms of reference states that the Committee Chairperson shall be a Councillor or a Councillor with a Community member as Co-Chair
Other Committee Members	Minimum 12 Community Representatives Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Arts Collections & Marketing Coordinator

Darebin Aboriginal Advisory Committee

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- Issues and barriers affecting Aboriginal and Torres Strait Islander community in the Darebin region.
- Input into Council's policy and decision-making processes.
- Informing, monitoring the implementation of and evaluating delivery of plans including the Darebin Aboriginal and Torres Strait Islander Employment Strategy and Action Plan and the Darebin Aboriginal and Torres Strait Islander Action Plan.
- Assisting in the development of future action plans.

Required Councillors	At least one Councillor (Chair) with a nominated Community member as Co-Chair
Other Committee Members	11 Aboriginal or Torres Strait Islander people who live, work or study in Darebin
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Aboriginal Partnerships Officer

Darebin Disability Advisory Committee

The Darebin Disability Advisory Committee is a Committee established by Council to advise on issues relating to access and inclusion for people with disabilities living, working, studying or visiting Darebin and to promote improved access and inclusion with Council and the wider community.

Required Councillors	Two Councillors, one nominated as Chair of the Committee and one as a Proxy
Other Committee Members	Specified members of Committees (excluding Councillors) are appointed to this Committee
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Community Development Officer Access and Inclusion

Darebin Domestic Animal Management Reference Group

The purpose of this Committee is to provide strategic advice and recommendations to Council in relation to the implementation of the Domestic Animal Management Plan 2022-2025 including:

- Effective cat and dog management
- Domestic animal issues within the community
- Increasing registration and identification of dogs and cats
- Reducing the number of dogs and cats impounded to the shelter
- Identifying opportunities to work collaboratively to improve animal outcomes

Required Councillors	At least two Councillors, one nominated as Chair of the Committee and one as a Proxy
Other Committee Members	Membership is open to all members of the community with an interest in animal management and welfare to a maximum of 10 Relevant Council Staff
Meeting Frequency	Tri-annually
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Manager City Safety & Compliance

Darebin Education Network

The purpose of this Committee is to provide advice and recommendations to Council in relation to:

- Promoting equitable and quality learning and education for all students across Darebin primary and secondary schools;
- Providing information and advice to Darebin City Council on priorities for equity in education, especially for students who experience educational disadvantage; and in student wellbeing;
- Creating opportunities for exchange and collaboration between primary and secondary schools across all sectors – public, Catholic and independent, on mutual priority areas of teaching and learning, and on student wellbeing;
- Creating opportunities for exchange, collaboration and initiatives between Darebin schools and Darebin City Council on priorities of teaching and learning, and on student wellbeing;
- Supporting student voice and action in schools and in school communities on student and community priorities;
- Facilitating active engagement between Darebin City Council and Darebin’s school leaders and educators;
- Providing advice and engagement for Darebin City Council on ongoing development and review of policies, strategies and plans, especially those that directly and indirectly impact on schools and provision of equitable education and student wellbeing;
- Sustaining a forum for evidence-based and innovative practice in learning and education and student wellbeing;
- Advocating to relevant external authorities for equitable, quality and diversity of education and wellbeing programs for students and schools, with attention to schools where there is significant educational disadvantage.

Required Councillors	At least two Councillors, one nominated as Chair of the Committee and one as a Proxy
Other Committee Members	The Darebin Education Network comprises representatives of Educational Institutions across Darebin who generally nominate their Principal as their representative Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Community Development Officer

Climate Emergency Darebin Advisory Committee

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- climate emergency leadership, specifically around the impacts and opportunities for the Darebin community
- achieving and implementing climate and energy strategies and actions in the Council Plan
- rapid community emissions reduction including advice on large and community scale renewable energy and other zero emissions technologies
- ongoing development and review of policies, strategies and plans especially those that directly and indirectly impact the Darebin community around the climate emergency
- developing programs relating to Council priorities such as: climate risk, fuel poverty, resilience, adaptation, mitigation and protection of those communities most impacted by climate change
- developing and delivering Council’s Climate Emergency Plan promoting the work of Darebin’s climate program
- effective and appropriate engagement with Darebin’s diverse community on climate issues
- advocating to relevant external authorities to ensure action is taken to create a safe climate for all.

Required Councillors	At least two Councillors, one who shall be nominated as Committee Chairperson with a Community member as Co-Chair
Other Committee Members	A maximum of ten community members representing the diversity within Darebin’s community. <ul style="list-style-type: none"> • two from the Traditional Owner as well as Aboriginal and Torres Strait Islander communities • two from Darebin’s culturally and linguistically diverse communities • two with specialist climate expertise – could be technical or other • two with community expertise – community leadership, community engagement, advocacy etc • two people between 16 to 25 years
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Manager Equity and Climate

Darebin Community Awards Advisory Committee

The *purpose* of this Committee is to provide advice and recommendations to Council in relation to the selection of winners annually for Darebin Community Awards across the following nine categories:

- Citizen of the Year
- Young Citizen of the Year
- Community Group of the Year
- Aboriginal & Torres Strait Islander Community Leader of the Year
- Aboriginal & Torres Strait Islander Emerging Young Community Leader of the Year
- Sustainability Award
- Lifetime Achievement Award
- CALD Elder Community Leader of the Year, and
- CALD Emerging Community Leader of the Year.

Required Councillors	The Mayor of the Day (Chair)
Other Committee Members	<ul style="list-style-type: none"> • Two members of the Darebin Aboriginal Advisory Committee • Two members of the Darebin Ethnic Communities Council • Four Community Representatives • Four Former Award Recipients • One Council officer, and others as required
Meeting Frequency	Tri-annually
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed By Council September 2023
Responsible Officer	Senior Producer

Darebin Interfaith Council

The purpose of this Committee is to provide advice and recommendations to Council in relation to:

- Creating opportunities for dialogue between religious leaders and community members of diverse faith background.
- Providing leadership on matters pertaining to interfaith relations, interfaith understanding and cooperation in the City of Darebin.
- Promoting the work of interfaith collaboration and interfaith understanding for the City of Darebin.
- Acting as a source of information and advice to Darebin City Council and the Darebin community on interfaith related matters.
- Facilitating the active engagement of Darebin City Council with its religious leaders and communities of faith.
- Providing opportunities for the Darebin Interfaith Council to support the Darebin Council with the implementation of its Equity and Inclusion Policy and to participate in Council's consultations, programs, policy developments and community engagement processes.
- Promoting social harmony and cohesion between diverse faith communities and the protection of human rights.
- Working towards eliminating racial and religious prejudice, intolerance and vilification.

Required Councillors	At least two Councillors, one to be nominated as Committee Chairperson and one as Proxy
Other Committee Members	Representatives of various faith communities within Darebin to a maximum of 15. Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Community Development Officer, Interfaith and Multicultural

Darebin Nature Trust

The purpose of this Committee is to provide a sounding board (where appropriate) to Council in relation to:

- Matters affecting biodiversity and the natural environment in Darebin’s open space.
- Identifying opportunities to improve biodiversity, open space and urban liveability for Darebin.
- increasing the profile of Darebin’s green spaces and local biodiversity to the broader community
- Raising awareness, educating and building community custodianship of our natural spaces so that Darebin’s biodiversity is valued.
- Advocacy and action to secure, protect and enhance green space for current and future generations.

Required Councillors	Up to three Councillors, one to be nominated as Committee Chairperson, one as Proxy, with a Community member as Co-Chair
Other Committee Members	Up to 9 community members
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Urban Ecology and Biodiversity Officer

Gender Equity Advisory Committee (formerly Darebin Women’s Advisory Committee)

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- Issues affecting women and gender-diverse communities in the City of Darebin.
- Providing a gender lens on issues, policies, programs and services.
- Promoting and advocating for equality and social inclusion of all women in the Darebin community and in particular, women experiencing compounding forms of discrimination.
- Raising awareness and promoting understanding of issues and barriers to equality affecting women and gender diverse people in the City of Darebin

Required Councillors	At least one female Councillor, to be nominated as Committee Chairperson with support from at least one Council Officer
Other Committee Members	Up to 15 Community members representing the diversity of Darebin women Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Gender Equity Officer

Darebin LGBTIQ+ Advisory Committee

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- Issues and barriers to equality affecting people in the City of Darebin who identify as lesbian, gay, bisexual, transgender, gender diverse, intersex and/or queer (LGBTIQ+) and their families.
- Promoting and advocating for equality and social inclusion of LGBTIQ+ communities within the wider context of the Darebin community.
- Raising awareness and promote understanding of diverse sexualities, genders and sex characteristics as facets of diversity in the broader Darebin community.

Required Councillors	At least one Councillor to be nominated as Committee Chairperson with support from a Council Officer
Other Committee Members	Maximum of 12 Community members: <ul style="list-style-type: none"> • A minimum of two representatives from community-based organisations that support LGBTIQ communities on a range of issues • A maximum of ten community members representing the diversity within LGBTIQ communities and the Darebin community. Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Human Rights Officer

Darebin Welcoming Cities Community Reference Groups

The purpose of this Committee is to provide advice and recommendations (where appropriate) to Council in relation to:

- Achieving the principles and criteria in the Welcoming Cities Standard, including providing advice on the development for a Welcoming City Plan that further embeds Council’s anti-racism stance and commitment.
- Identifying opportunities for collaboration and partnership development to support newly arrived/migrant communities.
- Share information around work and projects that contribute to a sense of inclusion and improve a sense of belonging and inclusion in the Darebin community.
- Facilitate a whole-of-community approach to building social and cultural inclusion, economic engagement and civic participation.
- Provide a platform for individuals or community groups to raise issues of inclusion, social cohesion or experiences of race-based discrimination issues.
- Support broader projects that promote best practice in creating a welcoming city and seek to pilot innovative projects as appropriate.
- Identify and provide recommendations back to Council as appropriate.

Required Councillors	One Councillor
Other Committee Members	<p>Membership will comprise of 14 voting members:</p> <ul style="list-style-type: none"> • 1 nominated Darebin Councillor. • 6 community members to be recruited via an Expression of Interest process. • 3 members from existing Committees, 1 representative from each of: <ul style="list-style-type: none"> ○ Darebin Ethnic Communities Council ○ Darebin Aboriginal Advisory Committee ○ Darebin Interfaith Council • 3 representatives from community and migrant support agencies in the City of Darebin, including: <ul style="list-style-type: none"> ○ AMESS ○ Spectrum Migrant Resource Centre ○ Victorian Equal Opportunity and Human Rights Commission(VEOHRC) • Traditional Owner representative from the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation <p>Relevant Council staff</p>
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Multicultural and Diversity Policy Officer

Edgars Creek and Edwardes Lake Task Force

The Edgars Creek and Edwardes Lake Task Force is a partnership between local government, Traditional Owners, water agencies and community organisations to coordinate and advance initiatives that significantly improve the environmental health of Edgars Creek and Edwardes Lake with the purpose to:

- improve water quality,
- build flood resilience; and
- enhance the natural environment.

Required Councillors	At least one Councillor
Other Committee Members	<p>The partners that make up the membership of the collaboration include (each voting):</p> <ul style="list-style-type: none"> • Friends of Edwardes Lake • Friends of Merri Creek • Friends of Edgars Creek • Merri Creek Management Committee • Reservoir Frogs Water Watch Group • Yarra Valley Water • Wurundjeri Woi Wurrung • Melbourne Water • Environment Protection Authority • Moreland City Council • Darebin City Council <p>Each member shall be represented by one person from each partnering organisation.</p>
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Coordinator Natural Environment

Young Citizens Jury

The purpose of this Committee is to:

- To provide a platform that enables young people to be an active contributor and co-designer that address current issues that are important to young people.
- To provide a space that enables discussion and allows for diverse views to be shared and examined. (Where appropriate expert voices will be drawn upon to ensure all points of view are considered).
- To allow other stakeholders within Council and external service providers to seek input and feedback from young people into policy and projects as deemed relevant by Jury members.
- To identify and action relevant projects and initiatives that address key issues that are important to Darebin's young people
- To ensure a youth voice is elevated to council regarding key issues that are important to Darebin's young people.

Required Councillors	No Councillors required
Other Committee Members	Specified members of Committees Relevant Council staff
Meeting Frequency	Quarterly
Reporting	Status update to Council every 12 months via officer report
Terms of Reference	Endorsed by Council September 2023
Responsible Officer	Youth Services Coordinator



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SUMMARY MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING

Held on Monday 30 May 2024 at Darebin Civic Centre,
350 High Street Preston, Ngurungaeta Room, (Council
Chamber)

Summary minutes released to the public on 16 December 2024.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES

30 MAY 2024

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MONDAY 30 MAY 2024 – 3.30PM - DAREBIN CIVIC CENTRE 350 HIGH STREET PRESTON

Attendees

Committee Members

- Lisa Tripodi – Independent External Member and Chairperson*
- Dr Marco Bini – Independent External Member
- Jonathan Kyvelidis – Independent External Member*
- Cr. Tom Hannan – Councillor Member*

Officers

- Peter Smith – Chief Executive Officer
- Kylie Bennetts – General Manager Community
- Enna Giampiccolo – General Manager Customer & Corporate
- Rachel Ollivier – General Manager Infrastructure, Operations & Finance
- Vanessa Petrie - General Manager City Sustainability & Strategy
- Felicity Walsh – Manager Governance & Communications
- Tristan Glennon – Audit & Compliance Officer (minutes)

Municipal Monitors

- June Anstee – Municipal Monitor*
- Ross Millard – Municipal Monitor*

Internal Auditor

- Pat Scanlon – Partner, NTT Global Digital*

Officers

- Yvette Fuller – Chief People Officer (Items 6.1, 6.2, 6.3)
- Hamish Jacobsen – Acting Coordinator Strategic Planning (Item 6.4)
- Srinii Krishnan – Chief Financial Officer (Item 6.5)
- Stevie Meyer – Acting manager City Futures (Item 6.4)*

* These participants attended virtually

DISCLAIMER:

The information contained in this report is designated confidential by the Chief Executive Officer as it is confidential information for the purposes of Section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released. This ground applies because of the sensitive and varied nature of the information received and considered by the Audit and Risk Committee from time-to-time which can pertain to external stakeholders also.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**30 MAY 2024****1. WELCOME & ACKNOWLEDGEMENT OF COUNTRY**

The Chair gave an Acknowledgement of Country and welcomed the Committee members and all attendees present at the meeting.

2. IN-CAMERA DISCUSSION

An in-camera discussion was held at the end of the meeting. In-camera discussion item(s) not minuted.

3. APOLOGIES

Apologies:

- Cr. Lina Messina (Committee Member)

1. DISCLOSURES OF CONFLICTS OF INTEREST

No Conflicts of Interest declared.

5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COMMITTEE MEETING

Not required – to be considered at the ordinary Committee meeting on 19 June 2024.

6. CONFIDENTIAL**6.1 SUPERANNUATION FOR CONTRACTORS**

This item is confidential because it is legally privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Local Government Act 2020.

6.2 PUBLIC HOLIDAY PAYMENT

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Local Government Act 2020.

6.3 POLICE & WORKING WITH CHILDREN CHECK – NON-COMPLIANCE

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to Section 3(1) (g ii) of the Local Government Act 2020.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**30 MAY 2024****6.4 PLANNING SCHEME AMENDMENT C170DARE**

This item is confidential because it is legally privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Local Government Act 2020.

6.5 UPDATE ON DRAFT BUDGET

This item is confidential, pursuant to Section 3(1) Parts (c) (f) of the Local Government Act 2020 as per the separate ARC reports on these topics.

7. OTHER BUSINESS

The GM Community advised that Council's aged care services will be audited by the Aged Care Quality and Safety Commission for the period June 2024 to June 2025.

8. NEXT MEETING

The next meeting of the Audit and Risk Committee will be held at 2.00pm on Wednesday 19 June 2024.

9. CLOSE OF MEETING

As there was no further business, the Chair closed the meeting at 5:03PM.



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SUMMARY MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING

Held on Tuesday 25 June 2024 at Darebin Civic Centre,
350 High Street Preston, Ngurungaeta Room, (Council
Chamber)

Summary minutes released to the public on 16 December 2024.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES

25 JUNE 2024

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**TUESDAY 25 JUNE 2024 - 2.00PM - DAREBIN CIVIC CENTRE
350 HIGH STREET PRESTON NGURUNGAETA ROOM (COUNCIL
CHAMBER)**

Attendees

Committee Members

- Lisa Tripodi – Independent External Member and Chairperson
- Dr Marco Bini – Independent External Member
- Jonathan Kyvelidis – Independent External Member
- Cr Tom Hannan – Councillor Member

Internal Auditor – NTT Global Digital

- Pat Scanlon – Partner, NTT Global Digital

External Auditor – VAGO

- Josh Porker – Principal, RSD Audit *
- Courtney Culhane – Manager, RSD Audit *

Officers

- Peter Smith – Chief Executive Officer
- Kylie Bennetts – General Manager Community
- Enna Giampiccolo – General Manager Customer & Corporate
- Rachel Ollivier – General Manager Infrastructure, Operations & Finance
- Vanessa Petrie – General Manager City Sustainability & Strategy
- Yvette Fuller – Chief People Officer (Item 9.6)
- Chad Griffiths - Manager City Futures & Development (Item 9.3)
- Lalitha Koya – Chief Information Officer (Item 7.3)
- Srini Krishnan – Chief Financial Officer (Items 8.1, 8.2, 8.3)
- Van Le – Acting Manager Assets & Capital (Item 2.1)
- Jacinta LiDonni – Risk Advisor (Item 9.1)
- Allan Middlemast – A/Manager – Climate E.& Sust. Trans. (Items 9.4 & 9.5)
- Michael O’Riordan – Coordinator Financial Accountant (Items 8.1, 8.2, 8.3)
- Leo Parente – Municipal Building Surveyor (Item 9.3)

Observers

- Cr. Susanne Newton (Mayor)

Minutes

- Tristan Glennon – Audit & Compliance Officer (minutes)

* These participants attended virtually

DISCLAIMER:

The information contained in this report is designated confidential by the Chief Executive Officer as it is confidential information for the purposes of Section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council’s position in commercial negotiations if prematurely released. This ground applies because of the sensitive and varied nature of the information received and considered by the Audit and Risk Committee from time-to-time which can pertain to external stakeholders also.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**25 JUNE 2024**

1. WELCOME & ACKNOWLEDGEMENT OF COUNTRY

The Chair gave an Acknowledgement of Country and welcomed the Committee members and all attendees present at the meeting.

2. IN-CAMERA DISCUSSIONFlood Mapping Implementation Update (Confidential)

This item is confidential because it is legally privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Local Government Act 2020.

Planning Scheme Amendment C170dare Update (Confidential)

This item is confidential because it is legally privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Local Government Act 2020.

Superannuation for Contractors Update (Confidential)

This item is confidential because it is legally privileged information, being information to which legal professional privilege or client legal privilege applies, pursuant to Section 3(1) (e) of the Local Government Act 2020.

Public Holiday Payment Update (Confidential)

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs, pursuant to Section 3(1) (f) of the Local Government Act 2020.

Police & Working with Children Checks Update (Confidential)

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to Section 3(1) (g ii) of the Local Government Act 2020.

Penetration Testing Brief Update (Confidential)

This item is confidential because it is security information, being information that if released is likely to endanger the security of Council property or the safety of any person, pursuant to Section 3(1) (b) of the Local Government Act 2020.

3. APOLOGIES

Apologies:

- Cr. Lina Messina (Committee Member)
- Felicity Walsh – Manager Governance & Communications

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES

25 JUNE 2024

4. DISCLOSURES OF CONFLICTS OF INTEREST

No Conflicts of Interest declared.

5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS AUDIT COMMITTEE MEETING

The Committee approved the minutes as a true and correct record of the previous meeting held 20 March 2024.

6. CEO QUARTERLY UPDATE (VERBAL)

The Audit and Risk Committee noted the verbal update provided by the CEO.

7. STANDING REPORTS

7.1 ACTIONS ARISING FROM PREVIOUS MEETING

The Audit and Risk Committee noted the status of the action items from previous meetings.

KEY FINDING

- Management will continue to work towards the completion of the open actions and provide an update at the 4 September 2024 meeting.

7.2 COMMITTEE WORK PLAN REPORT

The Audit and Risk Committee:

- 1) Noted the status of the action items from previous meeting, and
- 2) Endorsed Audit and Risk Committee - Annual Work Plan (FY2024/25) pending changes noted during the meeting.

KEY FINDINGS

- Management have fulfilled their responsibilities and support of the Committee by reviewing the Audit and Risk Committee Annual Work Plan 2023-24.
- Management has adequate approach to maintain an effective internal control framework.
- Management has adequate policies and procedures in place to manage complaints including confidential and anonymous employee complaints.
- Management is taking appropriate action to comply with the latest legislative changes.

7.3 INFORMATION SERVICES REPORT

The Audit and Risk Committee noted the Information Services Report.

KEY FINDINGS

- Management has taken appropriate action to mitigate the high risks in IT.
- 2023/24 Information Services projects are addressing key risks including Cyber Security, IT Disaster Recovery and Data Governance.
- An ICT & Digital Strategy is being developed to ensure future technology spend is aligned to business needs.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**25 JUNE 2024****8. FINANCIAL REPORTS****8.1 QUARTERLY FINANCIAL REPORT**

The Audit and Risk Committee noted:

- 1) the Quarterly Financial Report, and
- 2) the Financial report for the (9) months ended 31 March 2024.

KEY FINDING

- Council is monitoring and managing its financial position and key controls and addressing procurement capability and compliance.

8.2 VAGO INTERIM MANAGEMENT LETTER

The Audit and Risk Committee noted the Darebin City Council – Interim Management Letter for the year ended 30 June 2024.

KEY FINDING

- There are 6 remaining open issues from prior years (2 Moderate, 4 Low).

8.2 2024/25 BUDGET UPDATE (VERBAL)

The Audit and Risk Committee noted the verbal update provided by the Chief Financial Officer.

9. RISK MANAGEMENT**9.1 QUARTERLY RISK MANAGEMENT REPORT**

The Audit and Risk Committee noted the:

- 1) Quarterly Risk Management report,
- 2) Quarterly update on Strategic and Operational Risks,
- 3) Annual Insurance Program Renewal and Strategic Reviews of Insurance Program,
- 4) Update on the process of review of Darebin Council's Risk Profile,
- 5) Quarterly update on Operational and Council Policies, and
- 6) Effectiveness of Business Continuity Planning and Processes.

KEY FINDINGS

- SRIA Committee to meet bi-monthly for the review of below waterline and watchlist risks. Emerging risks and urgent items to be considered as part of weekly ELT meetings.
- Actions taken to manage Council's risks are adequate and strengthened by the representation of several key reportable findings, and the presentation of Council's strategic and operational risks.
- Management is taking appropriate actions to review Darebin Council's Risk Profile.
- Governance Services team continue to maintain the centralised oversight of Council policies.
- The Risk team is conducting the annual insurance program renewal and strategic reviews of insurance program to ensure Council is appropriately covered.
- Management is monitoring and reporting key metrics including Fraud Allegations, Cyber Incidents, Freedom of Information Requests, Privacy Breaches, and Public Interest Disclosures.

9.2 RISK UPDATE – DAREBIN CREEK MANAGEMENT

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**25 JUNE 2024**

The Audit and Risk Committee noted the Risk Update - Darebin Creek Management Committee report.

KEY FINDING

- The current controls have mitigated the identified risks from the RSM audit while work is undertaken to further mitigate risks beyond the current MOU.

9.3 RISK UPDATE – BUILDING SAFETY

The Audit and Risk Committee noted the Risk Update – Building Safety Compliance report, in relation to the following:

- 1) Cladding
- 2) Legacy Building Notices and Orders
- 3) Unregistered Swimming Pools

KEY FINDINGS

- Management and Building Surveyors have acted to ensure that combustible cladding risks are being appropriately managed.
- Council continues to prioritise the legacy building matters and take the appropriate action to reduce our liability exposure.
- Management and Building Surveyors have introduced a risk-based approach to identifying and mitigating the risks posed by unregistered swimming pools within Darebin.

9.4 RISK UPDATE – CONTAMINATION

The Audit and Risk Committee noted the Risk Update – Contamination report.

KEY FINDINGS

- Management has acted to ensure the effective management of contamination risks are progressing.
- Ongoing work and department collaboration is underway to ensure more proactive risk mitigation in the future on contaminated land management in council.

9.5 RISK UPDATE – CLIMATE

The Audit and Risk Committee noted the Risk Update – Climate report.

KEY FINDINGS

- The Organisational Risk Assessment risks have been allocated to department managers for action.
- Proposed draft Climate Emergency Plan is planned for Council adoption on 24 June.
- Corporate Social Responsibility team will continue to embed "climate" into operations across Council.

9.4 QUARTERLY SAFETY REPORT

The Audit and Risk Committee noted the Quarterly Safety Report.

KEY FINDINGS

- The following are the identified areas for review & corrective action by the Safety and Wellbeing team.
 - Incident Management – how incidents are managed across departments and within the safety team.

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES

25 JUNE 2024

- Workers’ Compensation – development of a clear workflow and system of management. The Safety and Wellbeing team has identified the following OHS risks which will be worked on next quarter.
- Incident and hazard management workflow.
- Workers’ compensation claim workflow – management of claims and strategies to improve outcomes.
- Emergency Management – further development of the emergency management system across the Council.

10. INTERNAL AUDIT

10.1 RECENT REPORTS AND PUBLICATIONS

The Audit and Risk Committee noted the Recent Report and Publications Report and Management comments.

KEY FINDING

- Management has reviewed recent reports and publications related to issues of management controls, integrity and continuous improvement that impact the local government sector and initiated action to mitigate Council’s risk in response

10.2 OUTSTANDING AUDIT ACTIONS STATUS REPORT

The Audit and Risk Committee noted the Outstanding Audit Actions Status Report.

KEY FINDING

- Management is progressing the completion of outstanding audit actions, with some delays expected

10.3 COMPLETED INTERNAL AUDITS

The Audit and Risk Committee noted:

- 1) the Completed Internal Audits Report, and
- 2) the ‘Workplace Health & Safety Risk Management Including Flexible Work Arrangements’ internal audit report.

KEY FINDING

- The 2023/2024 Internal Audit Program will continue to be delivered with updates provided at each meeting.

10.4 INTERNAL AUDIT PROGRAM STATUS & AUDIT SCOPES FOR APPROVAL

The Audit and Risk Committee:

- 1) Noted the Internal Audit Program Status & Audit Scopes for Approval report,
- 2) Noted the Internal Audit Status Report, and
- 3) Endorsed the revised ‘Strategic Internal Audit Plan – 2024 to 2027.’

KEY FINDING

- Through consultation with the Committee, ELT and SLT, a revised 3-year Strategic Internal Audit Plan has been developed for FY2024/25 to FY2026/27

AUDIT AND RISK COMMITTEE MEETING SUMMARY MINUTES**25 JUNE 2024****11. GOVERNANCE****11.1 COMMITTEE MANAGEMENT REPORT**

The Audit and Risk Committee:

- 1) Noted the Committee Management Report,
- 2) Noted the 2023-24 Annual Survey of the Committee Members,
- 3) Endorsed the Biannual Committee Report for the period December 2023 - May 2024, and
- 4) Endorsed the draft Annual Committee Performance Report for the period 1 July 2023 – 30 June 2024 pending updates following the June meeting.

KEY FINDINGS

- Management has adequate resources, structures and processes in place to support the work of the Committee and the internal audit function.
- Compliance with the Local Government Act 2020 has been met by preparing the Bi-Annual Report and Annual Committee Performance Report.

12. OTHER BUSINESS

Nil.

13. NEXT MEETING

The next meeting of the Audit Committee will be held at 2.00pm on Wednesday 4 September 2024 in person at the Darebin Civic Centre, 350 High Street Preston.

A special meeting will be held at 10:45am on Tuesday 17 September to consider the FY2023/24 financial statements and audit outcomes.

14. CLOSE OF MEETING

As there was no further business, the Chair closed the meeting at 5:05pm.



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AUDIT AND RISK COMMITTEE CHARTER
DECEMBER 2024 **DRAFT**



City of Darebin Council – Audit and Risk Committee Charter – December 2024 **DRAFT**

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1. PURPOSE

The Audit and Risk Committee (the Committee) is a committee established in accordance with section 53 and 54 of the Local Government Act 2020 (the Act) to assist Darebin City Council (Council) in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

In accordance with section 53 (2) of the Act, the Committee does not have any delegated powers, including executive powers, management functions or delegated responsibility.

In accordance with section 54 (2) of the Act, the Committee is established to assist Council in discharging its responsibilities to:

- a. monitor the compliance of Council policies and procedures with:
 - I. the Act and the regulations and any Ministerial directions
 - II. the overarching governance principles
- b. monitor Council's financial and performance reporting
- c. monitor and provide advice on risk management and fraud prevention systems and controls
- d. oversee internal and external audit functions.

In line with Council's commitment to environmental sustainability and social justice, the Committee in discharging the above responsibilities, particularly as they relate to policy compliance and auditing of Council functions and processes, will give due regard to the advancement of Council's environmental and social objectives.

2. AUTHORITY

The Committee is not a delegated Committee but is responsible to Council. The Council authorises the Committee, within its responsibilities to:

- Obtain any information it requires from any official or external party (subject to any legal obligation to protect information).
- Discuss any matters with the Victorian Auditor General's Office (VAGO), or other external parties (subject to confidentiality considerations).
- Request the attendance of any official, including Councillors and Council Officers, at Committee meetings.
- Seek resolution on any disagreements between management and the external auditors on financial reporting.
- Support resolution of differences of opinion between management and the internal auditors on internal audit recommendations.

3. RESPONSIBILITIES

In accordance with section 54 (2) of the Act, the Committee has the following responsibilities:

3.1 Financial Management (Section 54(2b))

Monitor financial and performance reporting. Specific matters the Committee may address include:

- Review significant financial and reporting issues, including complex or unusual transactions and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- Review the results of the annual external audit in conjunction with management and the external auditors, including any difficulties encountered.

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- Review the annual financial report, performance report and governance and management checklist, and consider whether the reports are complete, consistent with information known to Committee members and reflect appropriate accounting principles and make a formal recommendation to Council.
- Review with management and the external auditors all matters required to be communicated to the Committee under the Australian Auditing Standards.
- Review the process for the consolidation of financial information of council related entities into the financial reports of the council.
- Assess information from internal and external auditors that affects the quality of financial reports. For example, actual and potential material audit adjustments, financial report disclosures, non-compliance with legislation and regulations, internal control issues.
- Review any changes to Council's accounting policies and procedures and the methods of applying them, with the input of management, external and internal auditors, ensuring that they are in accordance with the stated Financial Reporting Framework and accounting standards.
- Review of the 10-year Financial Plan along with the Revenue and Rating Plan.
- Monitor the long-term financial plan assumptions against current year.
- Overview of financial assumptions established to inform the development of the next year's draft 4-year budget.
- Overview of Local Government Performance Reporting Framework (LGPRF) results.

3.2 Internal Control Environment

Monitor Internal controls. Specific matters the Committee may address include:

- Review whether management's approach to maintaining an effective internal control framework is sound and effective.
- Consider the scope of the internal auditors' review of internal controls over financial reporting and obtain reports from the internal and external auditors on significant findings and recommendations, together with management's responses.

3.3 Risk Management (Section 54(2c))

Monitor and provide advice on Risk management and fraud prevention systems and controls. Specific matters the Committee may address include:

- Review the risk management framework annually.
- Monitor the systems and process that are in place to manage strategic and operational risks.
- Monitor the process of review of Council's risk profile.
- Consider the adequacy of actions taken to ensure that material risks have been dealt with in a timely manner to minimise exposures.
- Receive reports on the annual renewal of the insurance program and provide advice on strategic reviews of insurance programs.
- Monitor the effectiveness of business continuity planning and processes, including whether business continuity and disaster recovery plans have been regularly updated and tested.
- Monitor and provide advice on fraud prevention systems and controls (section 54(2c)). Specific matters the Committee may address include:
 - Receive summary reports from management on all suspected and actual frauds, thefts and material breaches of legislation, ensuring reporting to the Council and/or relevant authorities and monitor the effectiveness of the management responses; and

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- Monitor the Council's fraud prevention and detection framework, including fraud risks and any action taken with respect to actual and suspected instances of fraud.
- Receive updates on the review of Policies (Operational and Council).
- Receive summary reports from the Information Service Department on Penetration Testing (internal and external).
- **Monitor work by the Council to mitigate and plan for climate change risks. [item moved from section 3.4]**

3.4 Internal Audit (Section 54(2d))

Oversee the Internal audit function (section 54 (2d)). Specific matters the Committee may address include:

- Monitor the implementation, review and endorse the three-year rolling and annual strategic internal audit plans, and any major changes to the plans, and ensure that the plans are aligned with Council's risk profile.
- Review and approve the memorandum of planning (MAP) for each internal audit to ensure that the audit objectives and scope are fit for purpose.
- Receive internal audit reports and provide advice to Council on significant issues raised and associated actions, including the identification of good practice.
- Monitor the implementation of agreed management actions.
- Monitor processes and practices to ensure that the appropriateness and independence of the internal audit function is maintained.
- Monitor the performance of the internal audit provider, taking into consideration the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing.
- Ensure that opportunities are provided for the internal auditor to meet in-camera with the Committee, as required.
- Ensure that opportunities are provided to explore other internal audits in line with Council's environmental, social and sustainability objectives.
- Oversee periodic testing of whether audit actions reported as completed by Management have been effectively implemented.

3.5 External Audit (Section 54(2d))

Oversee External audit. Specific matters the Committee may address include:

- Annually review the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity
- Ensure that significant findings and recommendations made by the external auditor, and management's responses to them are appropriate and are acted on in a timely manner
- Provide advice on the resolution of any disagreements between management and the external auditors on financial reporting
- Ensure that opportunities are provided for the external auditor to meet in-camera with the Committee, as required
- Maintain awareness of Local Government performance audits undertaken by VAGO and consider the findings and recommendations of performance audits relevant to Council for action/implementation, where appropriate

3.6 Compliance Management (Section 54(2a))

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Monitor the compliance of Council Policies and Procedures in accordance with the overarching governance and principles, the Act and the regulations and any ministerial directions. Specific matters the Committee may address include:

- Review the effectiveness of the systems and processes that monitor compliance with legislation and regulations.
- Monitor the implementation of actions associated with identified instances of non-compliance.
- Receive reports on the findings of any examinations by regulatory agencies and monitor management's response to these findings.
- Receive regular updates from management about compliance matters.
- Review Council's compliance with procedures associated with complaints including confidential and anonymous employee complaints under the Public Interest Disclosures Act 2012 and section 1317aa of the Corporations Act 2001 (commonwealth), dealing with accounting, internal accounting controls or auditing matters or other matters likely to affect the council or its compliance.
- Comply with legislative and regulatory requirements imposed on the Committee members, including not misusing their position (s123 of the Act) to gain an advantage for themselves/another or to cause detriment to the council and disclosing conflicts of interest (s125 of the Act).
- Assess the status of Council's policy framework to ensure the embedding of the governance principals.
- Review the Governance and Management Checklist.
- Review reports on Gifts, Benefits and Hospitality; Interstate and Overseas Travel.
- Review Councillor expenses.
- Review Chief Executive Officer (CEO) credit card transactions (if applicable) or expenses report.

4. MEMBERSHIP

4.1 Composition of membership

1. The Committee comprises **five** members appointed by Council, made up of two Councillors and three external members.

In accordance with section 53 of the Act, the Committee must:

- Include members who are Councillors of the Council (3a);
 - Consist of a majority of members who are not Councillors of the Council and who collectively have:
 - expertise in financial management and risk (3b i),
 - expertise in public sector management (3b ii)
 - not be a member Council staff (3c)
2. In accordance with Council's commitment to cultural diversity and gender equality, composition of the Committee will aim for gender balance and culturally diverse representation, including Aboriginal and Torres Strait Islander representation, through Committee membership.
 3. Council will appoint two external members and the independent Chairperson through a merit-based recruitment process that also seeks value of connection to the Darebin community and achieves diversity of membership as outlined at (2).

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4. The external members appointed by Council are to be natural persons with an appropriate level of skill and experience relating to local government, finance, audit, risk or management experience.
5. The external members are to be appointed for a three-year term, with an option for a further three-year term by mutual consent.
6. Council may adjust the initial period of appointment to allow for mid-term appointments and to avoid situations where all external member terms expire within close proximity of each other. This initial period of appointment must be more than one year, and no more than three years.
7. Where vacancies exist, Council shall determine a mechanism for filling those vacancies.
8. The Chairperson of the Committee must be an independent member (section 53(b)). In accordance with Section 53 of the Act, they:
 - must not be a Councillor or
 - must not be a member of Council staff
9. Management will recruit and recommend the Chairperson to Council for appointment.
10. The Chairperson is to be appointed for a three-year term.
11. If the Chairperson is unable to attend a meeting, the members in attendance at the meeting will appoint a Chairperson for that meeting from among the attending members.
12. Where any Councillors members' Councillor term ends or is terminated, vacancy in the Councillors member of the Committee exists.

Committee may decide on substituting this vacancy with another Councillor, preferably Deputy Mayor, to hold the next meeting.

Council should then take an immediate action to appoint new Councillor to permanently fill this vacancy and notify the Committee before the next meeting is to be hold.
13. **The two Councillor members must comprise:**
 - **Mayor or Deputy Mayor as delegate; and**
 - **One Councillor or nominated Councillor as delegate.**

4.2 Quorum for Meetings

1. A quorum of a minimum of two external members and one Councillor will be necessary to transact the business of the Committee and must attend the full meeting.
2. CEO, General Manager **Customer & Corporate**, Manager Governance & **Communications** and **Chief Financial Officer** will be invited to all meetings as advisors or observers, they will not form part of the Committee. All General Managers will be invited and attend for at least the review of the 'Outstanding Audit Actions Report' and any 'Audit Scope or Internal Audit Reports' presented to the Committee for consideration in their respective portfolios.
3. Other management representatives or Council Officers may be invited to attend meetings as advisors or observers, they will not form part of the Committee. They will attend if they are required to prepare a report for the Committee in their area of responsibility.

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4. The Committee reserves the right to meet at any time without non-members or with invited non-members.
5. A representative(s) of VAGO will be invited to attend meetings of the Committee, as an observer. Such representative will be required to act in accordance with the governance principles in addition to the obligations of confidentiality (section 125) and conflict of interest (part 6, division 2) as outlined within this Charter and the Act.
6. A representative(s) of the appointed internal audit contractor will be invited to attend meetings of the Committee, as an observer. Such a representative will be required to act in accordance with the governance principles in addition to the obligations of confidentiality (section 125) and conflict of interest (part 6, division 2) as outlined within the Act.
7. Membership of the Committee will be reviewed periodically (but at least every three years) by Council, with the aim of ensuring an appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills and experience. Councillor members will be appointed for a one-year term of office.

The initial appointment of external Committee members shall be for a three-year period. An external member may serve no more than two full terms in any one position before the position must be publicly advertised. This does not preclude existing members from being re-appointed through a competitive process.

5. FEES

1. In accordance with section 53 of the Act, Council will pay a fee to all external members with the amount determined by Council, considering an assessment of the market and the recommendation to the CEO.
2. Fees will consist of a Member fee (paid to all external members) and a Chairperson fee (paid to the Chair).
3. The Member fee payment:
 - a. will be exclusive of GST
 - b. will be made quarterly following receipt of a Tax Invoice from the external member (including the purchase order provided by Council) after each scheduled quarterly meeting; and
 - c. will not be paid to an external member that was absent from the meeting without leave from the Committee.
4. The Chairperson fee payment:
 - a. will be made each quarter following receipt of a Tax Invoice from the external member (including the purchase order provided by Council) after each scheduled quarterly meeting; and
 - b. will not be paid to an external member acting or temporary holding the role of Chair.
5. Council does not have to pay a Member fee or Chairperson fee to a Committee member who does not want to receive a fee.
6. In accordance with section 53(6) of the Act, Council will pay a fee to an external member and the fee will be based on a per annum fee, which will be indexed in alignment with the rate cap % each 1 July.

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7. Payment of the fee will be made each quarter to the external member following receipt of a Tax Invoice (including the purchase order provided by Council) after each meeting.
8. No less than once every Council term, the fee paid to the external members will be benchmarked, against no less than five other peer Councils, to provide the Council with the information required to appropriately review the fees.
9. External members may also be paid for attendance at special Committee meetings on the following basis:
 - o The General Manager Customer & Corporate will determine if the special meeting is an additional engagement to a scheduled quarterly meeting.
 - o Fees for special meetings will be determined by the General Manager Customer & Corporate and communicated to Committee members.
 - Unless determined otherwise, fees for special meetings will be calculated on a pro-rata basis proportionate to the length of the meeting compared to a scheduled quarterly meeting length of three (3) hours.

6. MEETINGS

1. The Committee will meet at least four times a year, one or more special meeting may be held to review Council's annual financial statements and performance statements, or to meet other responsibilities of the Committee.
2. All Committee members are expected to attend each meeting, in person or through teleconference or video conference. Failure to attend a meeting will result in non-payment of the Member fee for the associated quarter.
3. The Chair is required to call a meeting if asked to do so by the Council **by way of a Council Resolution**, or decide if a meeting is required should it be requested by another member, internal auditor or VAGO.
4. The CEO or their delegate will facilitate the meetings of the Committee and invite whoever is necessary for the orderly and effective conduct of the committee business. The CEO is required to attend meetings to provide pertinent information, as necessary.

7. ADMINISTRATION

In accordance with section 54 (6a) of the Act, the CEO will appoint a Council officer to provide secretariat support to the Committee. The secretariat will:

1. Ensure the agenda prior to each meeting is approved by the CEO of Council.
2. Prepare meeting agendas and supporting papers, which will be circulated at least one week prior to the meeting.
3. Prepare and maintain meeting minutes. Minutes will:
 - o include relevant elements of the Committee's discussion.
 - o be reviewed by the Coordinator **Audit & Risk**, Manager **Governance & Communications** and General Manager **Customer & Corporate**.
 - o be circulated within two weeks of the meeting to each member and committee observers, as appropriate.
4. **Administer the approval of draft minutes as follows**
 - o **Draft minutes of each meeting will be provided to the Chairperson for review and approval.**

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- Following the Chairperson's approval, the draft minutes will be circulated to all Committee members to be approved.
- Approval of minutes requires written approval by a majority of Committee Members. Written approval will be provided via email or other mechanism as determined by the Manager Governance & Communications.
 - If the Audit and Risk Committee approves the draft minutes, including any changes to the minutes that are agreed to by the Audit and Risk Committee members, summary minutes will be provided to the next Council meeting. Approved minutes will still be listed as an item for the Audit and Risk Committee to note.
 - If the Audit and Risk Committee does not approve the draft minutes, the draft minutes will be listed as an Agenda item at the next Audit and Risk Committee meeting for discussion. The summary minutes will not be presented to Council until draft minutes are adopted by the Audit and Risk Committee.

8. PLANNING

The Committee will develop a forward meeting schedule that includes the dates and location for each meeting for the forthcoming year.

In accordance with section 54(3) of the Act, the Committee will develop an annual work program that includes the timing of reporting for all the responsibilities outlined in this Charter.

9. SUPPORT

To facilitate the operation of the Committee, the CEO or their delegate has responsibility to provide:

- Any necessary training for members in relation to their responsibilities under the Act.
- Any information required by the Committee to enact its responsibilities under this Charter.
- Officer advice in respect of matters before the Committee.
- Formal meetings with Council staff, the internal auditors or the external auditors as requested by the Committee, in accordance with the execution of its responsibilities under this Charter.
- Secretariat and logistical support to the Committee.

10. REPORTING

1. Officers will prepare biannual reports on the Committee that describes activities, findings, and recommendations in accordance with section 54(5a) of the Act for reporting to Council.
2. Committee members will attend Councillor briefings as required, to report on financial and other relevant matters.
3. Officers will prepare a report for inclusion in the City of Darebin Council Annual Report describing the Committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.
4. The Committee will prepare an Annual Committee Performance Report that includes an annual assessment of the Committee's performance against this Charter in accordance with Section 54(4a) of the Act. This report will be provided to the CEO for presentation to Council annually in accordance with Section 54(4b) of the Act.

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5. Internal and external audit reports shall not be made public.
6. In accordance with section 54(6b) of the Act, the CEO is required to table reports upon request by the Chair of the Committee.

11. INDUCTION

All new members will receive an induction by the Manager **Governance & Communications** and the Coordinator **Audit & Risk** to assist them in meeting their responsibilities.

12. EVALUATING PERFORMANCE

In accordance with section 54 (4a) of the Act, the Committee must complete an annual self-assessment to evaluate the Committee's performance, as well as the performance of the internal auditors, and to confirm that the Committee has met its responsibilities under this Charter. The assessment will be provided to the CEO for tabling at Council.

13. CONFLICTS OF INTEREST

1. Committee recommendations must be transparent and accountable, they must protect the public interest, maintain the integrity of the Committee and Council and enable the public to be confident that the Committee is performing its duties properly.
2. If a conflict of interest exists, it must be declared and managed. The Committee members are required to provide written declarations, through the Chair, to the Council declaring any material personal interests they may have in relation to their responsibilities.
3. Division 2 of Part 6 of the Act applies to a member of the Committee who is not a Councillor, as if the member were a member of a delegated Committee. An external member has a conflict of interest if they have:
 - a. a general conflict of interest within the meaning of section 127 of the Act; or
 - b. a material conflict of interest within the meaning of section 128 of the Act.

Members of the Committee will provide declarations in accordance with statutory requirements.

4. External members should consider past employment, consultancy arrangements and related party issues in making these declarations. The Council, in consultation with the Chair, should be satisfied that there are sufficient processes in place to manage any real or perceived conflict.
5. At the beginning of each Committee meeting, members are required to declare any material personal interests that may apply to specific matters on the meeting agenda. Where required by the Chair, the member will be excused from the meeting or from the Committee's decision of the relevant agenda item(s). The Chair is also responsible for deciding if they should excuse themselves from the meeting or from the Committee's decision of the relevant agenda item(s). Details of material personal interests declared by the Chair and other members, and actions taken, will be appropriately recorded in the minutes.

14. MISUSE OF POSITION

Section 123 of the Act applies to a member of the Committee who is not a Councillor, as if the member were a member of a delegated Committee. The requirements include:

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1. The external member must not intentionally misuse their position:
 - a. to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
 - b. to cause, or attempt to cause, detriment to the Council or another person.
2. For the purposes of this section, circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a delegated committee include:
 - a. making improper use of information acquired as a result of the position the person held or holds
 - b. disclosing information that is confidential information
 - c. directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff
 - d. exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform
 - e. using public funds or resources in a manner that is improper or unauthorised
 - f. participating in a decision on a matter in which the person has a conflict of interest.

15. CONFIDENTIAL INFORMATION

Section 125 of the Act applies to a member of the Committee who is not a Councillor, as if the member were a member of a delegated Committee. The requirements include:

1. Unless subsection (2) or (3) applies, a person who is, or has been, an external member must not intentionally or recklessly disclose information that the person knows, or should reasonably know, is confidential information.
2. Subsection (1) does not apply if the information that is disclosed is information that the Council has determined should be publicly available.
3. A person who is, or has been, an external member may disclose information that the person knows, or should reasonably know, is confidential information in the following circumstances:
 - a. for the purposes of any legal proceedings arising out of this Act
 - b. to a court or tribunal in the course of legal proceedings
 - c. pursuant to an order of a court or tribunal
 - d. in the course of an internal arbitration and for the purposes of the internal arbitration process
 - e. in the course of a Councillor Conduct Panel hearing and for the purposes of the hearing
 - f. to a Municipal Monitor to the extent reasonably required by the Municipal Monitor
 - g. to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector
 - h. to a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry
 - i. to the extent reasonably required by a law enforcement agency.

16. INDEMNITY

The Council will indemnify and keep indemnified each independent member of the committee against all actions or claims whether arising during or after their term of

City of Darebin Council – Audit and Risk Committee Charter – December 2024 **DRAFT**

appointment in respect of anything necessarily done or reasonably done or omitted to be done in good faith –

- a. In the performance of a duty or function or the exercise of an any matter under the Act, regulations, a local law or this charter.
- b. In the reasonable belief that the act or omission was in the performance of a duty or a function or the exercise of a matter under the Act, regulations, a local law or this charter.

17. REVIEW OF THE COMMITTEE CHARTER

The Committee will review and assess the adequacy of this Charter annually, considering any relevant legislative requirements. The Charter, including amendments to the Charter, will be approved by Council.

Councillor Expenses - Q1 1 July 2024 - 30 September 2024 (If applicable GST is excluded)

	Cr Dimitriadis	Cr Greco	Cr Hannan	Cr Laurence (Deputy Mayor)	Cr McCarthy	Cr Messina	Cr Newton (Mayor)	Cr Rennie	Cr Williams	Total
										\$
Councillor Allowances	10,976	10,976	10,976	18,167	10,976	10,976	36,334	10,976	10,976	131,335
*Mobile (Usage & Data Plan)	95	136	95	136	95	136	95	95	95	978
Internet (Laptop) (*Cr. Laurence does not use a laptop)	41	41	41		41	41	25	41	41	312
Travel (Cabcharge/misc travel expenses)										-
Family care										-
Conferences (Inc. all related costs/travel/meals/accom)			648			324	648	695		2,315
Training & Development						3,182	2,025			5,207
Good Governance Training										-
Functions/events										-
Subscription / Memberships										-
Stationary / printing / equipment										-
Mayoral Vehicle										-
Total net expenses	11,112	11,153	11,760	18,303	11,112	14,659	39,127	11,807	11,112	140,147

Notes:

Telephone and internet charges are recorded in the month they are incurred. All other expenses are reported on a cash basis in the month that they are paid.

Cr's Greco, Laurence and Messina - Mobile plan Includes Ipad usage & data plan

Reimbursements to Council include payments from Councillors owed for a range of previous months which were paid for within this quarter

Further explanation of the expense categories is available in the City of Darebin Councillor Support and Expenses Policy June 2021.

Amounts rounded to nearest \$

APPLICATIONS DETERMINED BY VCAT - REPORT FOR PLANNING COMMITTEE

EXECUTIVE SUMMARY

The General Planning Information attached at Appendix A contains:

- A summary of decisions by VCAT to date in financial year 2024-2025, at Table 1; and
- A summary of decisions issued since last reported to Council (financial year 2024-2025) at Table 2.

Officer Recommendation

That the General Planning Information attached as **Appendix A** be noted.

Attachments

- Applications Determined by VCAT - Report for Planning Committee - December 2024 (**Appendix A**)

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

ORDINARY COUNCIL MEETING

December 2024

TABLE 1: SUMMARY OF DECISIONS UPHELD BY FINANCIAL YEAR TO DATE – NOVEMBER 2024

	Number of VCAT Decisions	Percentage of decisions upheld (as reported to LGPRF*)
Council decisions	3	67% - 2/3
Delegate decisions	5	60% - 3/5
All decisions	8	63% - 5/8

Comment on performance and trends.

This financial year to date (at the time of reporting) there have been six (6) VCAT decisions.

The Statutory Planning Unit aims to continue the positive trend in Tribunal results achieved in the previous financial year whereby the majority of decisions, including those decided through mediation, were upheld by VCAT, resulting in good planning outcomes for Council and our community.

Contents of Table 1

Table 1 includes VCAT decisions as collated by the LGPRF. Column 3 of Table 1 provides the results as reported to LGPRF.

Notes on Table 1

Council decisions are decisions made by the Planning Committee.

Delegate decisions are decisions made under Council’s delegation instrument by Planning Officers in the Statutory Planning Unit.

Council and delegate decisions are both decisions of the Responsible Authority.

Column 3 summarises VCAT decision types and outcomes reported to the Local Government Performance Reporting Framework (LGPRF), including all mediated outcomes.

**Some less common VCAT application types are not reported to LGPRF (e.g. applications to cancel a permit, obtain a declaration and enforcement proceedings). This financial year to date, there has been one VCAT decision that is not reportable to LGPRF. This was a delegate decision that was withdrawn by the permit applicant.*

ORDINARY COUNCIL MEETING

December 2024

TABLE 2: SUMMARY OF VCAT DECISIONS ISSUED SINCE LAST REPORT TO COUNCIL (COMMENCING FINANCIAL YEAR 2024-2025)

Council & VCAT references	Address & ward	Proposal	Council position	Council or Delegate decision?	VCAT application type*	Hearing type**	VCAT decision	Was Darebin's final position upheld?
D/179/2023 P23/2024	2 Hartley Street Northcote South	Single storey extension to the rear of an existing dwelling on a lot less than 300m2	Support (NOD)	Delegate	S82	Hearing	Varied	Yes
<p>Discussion In appeal P23/2024, Council's decision was upheld but varied with additional conditions. The Tribunal found the proposal to be consistent with neighbourhood character outcomes, to be of a scale appropriate to the site and complaint with the objectives and standards of Clause 54. Additional conditions were included by the Tribunal which require neighbouring eaves to be shown accurately and a minor reduction of wall height opposite the neighbouring habitable room window.</p>								
Council & VCAT references	Address & ward	Proposal	Council position	Council or Delegate decision?	VCAT application type*	Hearing type**	VCAT decision	Was Darebin's final position upheld?
D/769/2022 P295/2024	154 High Street Northcote South	Construction of a multi storey building and use of the land for leisure and recreation within the Commercial 1	Support	Council	S82	CC	Varied	Yes

ORDINARY COUNCIL MEETING

December 2024

		Zone; buildings and works within a Design and Development Overlay; and a reduction in car parking.						
<p>Discussion In appeal P440/2024, Council’s final position was upheld. A mediated outcome was reached where the permit applicant agreed to additional permit conditions in response to the objector party’s concerns. Conditions primarily related to additional screening measures and acoustic treatments in order to reduce off site amenity impacts to the neighbouring property.</p>								

Notes on Table 2

*VCAT appeal types explained:

- S77 – Section 77 Application for review of Council’s refusal to grant a planning permit, by the applicant.*
- S78 – Section 78 Application for review of notice or information requirements requested by Council, by the applicant.*
- S79 – Section 79 Application for review of Council’s failure to determine the application within the 60-day statutory timeframe, by the applicant.*
- S80 – Section 80 Application for review of Council’s conditions on a planning permit, by the applicant.*
- S81 – Section 81 Application for review of Council’s decision to not extend a planning permit, by the applicant.*
- S82 – Section 82 Application for review of Council’s decision to support a proposal, by objectors.*
- S87A – Section 87A Application to amend a permit issued at direction of Tribunal.*

**VCAT hearing types explained:

***Practice Day Hearing (PDH)** – Administration hearing - VCAT gives direction on how the case will proceed, sets dates, discusses preliminary legal issues, etc*

ORDINARY COUNCIL MEETING

December 2024

Compulsory Conference (CC) – Prior to the full hearing, parties confidentially discuss ways to resolve the case with the help of a VCAT member, may result in a mediated outcome being reached.

Hearing – VCAT hearing where parties present their case, and the decision is made after consideration by VCAT.

None (decision made on the papers) – decision reached without the need for a hearing, usually where parties reached a mediated outcome outside of the Tribunal or where an appeal is withdrawn or struck out for administrative reasons.

Major Case (MC) – Major cases are heard sooner and can reach a resolution quicker than other planning cases. Most cases are eligible to be heard as a major case, but one of the parties must pay higher fees. Applications for review under Sections 77, 79, 80 and 82 are all eligible.

Short Case (SC) – These are cases which are not complex and can be handled in a short amount of time, typically involving limited issue/s and less parties. These cases are heard sooner and decisions are typically made orally at the hearing.

9.4 KINDERGARTEN EXPANSION PROGRAM

Author: Coordinator Community Planning and Initiatives
Manager Community Services & Development

Reviewed By: Acting General Manager Community

EXECUTIVE SUMMARY

Expansion of kindergarten capacity to meet the extra demand created by the roll-out of funded three-year-old kindergarten has been a Council priority for several years, as reflected in Council Plan Strategic Objective 2-6. The need to expand has been further influenced by the State Government's recent plan to introduce 30 hours of Pre-Prep for four-year-olds, to be universally rolled-out by 2036.

Kindergarten expansion is a major State Government priority and Council is working closely with the Department of Education (DE) to achieve our joint objectives of expanding kindergarten capacity to meet demand. Council has signed a Building Blocks Partnership Agreement with DE that outlines co-investment in a pipeline of kindergarten expansion projects.

In October 2023, Council committed to three projects as the first tranche of kindergarten expansion program projects. Council requested a further update on the Kindergarten Expansion Program, including a report on options for the next tranche of projects to be included in the Kindergarten Expansion Program.

Council budgeted \$8.25M in total over four years in the Capital Works Program (CWP) for the Kindergarten Expansion Program; we are in year two of the four-year program. The total CWP budget is offset by 25% indicative State Government grant funding; grant funding is based on the number of additional places created by the works.

This report provides an update on work completed to date under the Kindergarten Expansion Program and makes recommendations for the remaining years of this program. The report also provides an update on kindergarten projects being led by DE, which Council is supporting as part of Council Plan Strategic Objective of expanding funded three-year-old kindergarten.

Officer Recommendation**That Council:**

- (1) Notes the update on the Kindergarten Expansion Program including the completion of the Stage 1 expansion of Merri Community Child Care and Kindergarten, Thornbury, in September 2024 and the expected completion of the upgrade of 2A Raleigh Street, Thornbury, in December 2024.
- (2) Notes the awarding of the construction contract for the expansion of Maryborough Avenue Kindergarten, Kingsbury, is expected to Council for consideration and approval in February 2025.
- (3) Notes the outcomes of the feasibility assessment on the potential for expansion at JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten.
- (4) Endorses the addition of the following sites to the Kindergarten Expansion Program to be progressed to the design stage:

- a. Gellibrand Crescent Kindergarten expansion – design to be progressed in 2024-25, with the aim of commencing construction in 2025-26 (subject to confirmation through the annual budget process) for completion by January 2027.
 - b. Blake Street Kindergarten expansion – design to be progressed in 2025-26, with the aim of commencing construction in 2026-27 (subject to confirmation through the annual budget process) with the aim of completion by June 2027.
- (5) Notes the proposed expansions at Gellibrand Crescent Kindergarten and Blake Street Kindergarten are based on initial feasibility work only, and the feasibility, cost and size of the expansions achievable at each site will need to be confirmed through the design stage.
 - (6) Requests the Chief Executive Officer to negotiate with the Department of Education to add Gellibrand Crescent Kindergarten and Blake Street Kindergarten to the Building Blocks Partnership Agreement project pipeline to confirm in-principle agreement between Council and the State Government to co-fund expansion at these two sites.
 - (7) Notes Council is working with the Department of Education to support the delivery of several State Government-led projects including the Thornbury High School Kindergarten (to open in 2025), Reservoir Views Primary School Kindergarten (to open in 2026), and the Reservoir Government-managed Early Learning Centre (location and timing to be confirmed).
 - (8) Requests a further update on the Kindergarten Expansion Program, including the progress of planning, design and construction at all sites included in the program, by 31 December 2025.

BACKGROUND / KEY INFORMATION

Kindergarten expansion is a major State Government priority through the *Best Start, Best Life* reform agenda. Relevant aspects of this reform agenda include:

- Free Kinder for three- and four-year old children, which has the impact of increasing demand for kindergarten services.
- Three-Year-Old Kindergarten – the roll-out of funded Three-Year-Old Kindergarten commenced in Darebin in 2021. Currently, between 5 to 15 hours of Three-Year-Old Kindergarten is available per week to children in Darebin. Universal roll-out of 15-hours-per-week will be delivered by 2029.
- Pre-Prep – Four-Year-Old Kindergarten will transition to ‘Pre-Prep’, commencing in 2026 for certain cohorts and increasing to a universal 30-hour-per-week program for four-year-old children in Darebin by 2036.

These reforms, in combination with forecast population growth and an expected baby boom due to Darebin’s high proportion of 25- to 34-year-olds, are expected to create a significant increase in demand for kindergarten places over the next decade. This demand will exceed the level than can be supplied by existing infrastructure. Council is currently working with DE to update the *Darebin Kindergarten Infrastructure and Services Plan*, a jointly agreed forecast of unmet demand for kindergarten (the kindergarten places needed that cannot be met by current or planned capacity).

Provisional estimates indicate Darebin will need approximately 300 additional 15-hour kindergarten places by 2029 to meet the demand generated by the full roll-out of Three-Year-Old Kindergarten, and a further 1,250 15-hour places by 2036 to support the full roll-out of 30 hours of Pre-Prep for four-year-olds.

The areas where unmet demand is currently projected to be highest over the long-term are Preston West, Northcote West, Preston East, Northcote East and Reservoir North West.

Council's position on kindergarten infrastructure is informed by the *Early Years Infrastructure Planning Framework 2021-41*, which Council adopted in May 2022. This Framework outlines the 13 principles that guide Council's decision-making regarding early years infrastructure. The principles most relevant to the matters discussed in this report include: Equity, Access, Choice, and Quality and Safety.

The Framework also outlines 21 actions to deliver the early years infrastructure needed by the Darebin community over the next 20 years. The most relevant action in relation to this report is Action 4: Provide additional service capacity in localities where additional capacity is needed through, where feasible and cost effective, expansion of existing facilities.

Council has been working closely with DE over the past five years on the planning and delivery of infrastructure projects to meet the increased demand created by the *Best Start, Best Life* reforms. This collaborative work led to the signing of a *Building Blocks Partnership Agreement (BBPA)* with DE earlier this year. BBPA are long-term, in-principle agreements between the State Government and Councils for co-investment in multi-site project pipelines. Council's BBPA with the State Government included two projects in the initial pipeline:

- Merri Community Child Care and Kindergarten Expansion Stage 1 (Thornbury) – \$227,272 contribution from DE to deliver a 5-place expansion at this facility.
- Maryborough Avenue Kindergarten Expansion (Kingsbury) – \$1,727,272 contribution from DE to deliver a 38-place expansion at this facility.

Council has also received several other grants from DE to support planning or delivery of expansion projects:

- 2A Raleigh Street upgrade (Thornbury) – \$415,000 to upgrade the facility and license it for 22 kindergarten places.
- Planning – \$150,000 to conduct feasibility studies for expansion at four sites.
- Planning – \$150,000 to assess options and progress planning and design for a potential upgrade of JS Grey Kindergarten.

In 2023, Council adopted a four-year CWP that included \$8.25M funding over four years for kindergarten expansion. We are currently in the second year of this four-year program. The CWP budget that 25% would be covered by State Government grants.

Year	Total CWP Budget allocation for kindergarten expansion			Assumption
		Council Allocation	Indicative Grant	
2023-24	\$800,000	\$600,000	\$200,000	CWP was based on an indicative 25% of total funding to come from State Government grants. The greater number of additional places created by the expansion works means Council is eligible for higher State Government funding (see table below for current grant estimates)
2024-25	\$1,000,000	\$750,000	\$250,000	
2025-26	\$3,350,000	\$2,512,500	\$837,500	
2026-27	\$3,100,000	\$2,325,000	\$775,000	
Total	\$8,250,000	\$6,187,500	\$2,062,500	

At the Council meeting on 23 October 2023, Council passed a resolution that endorsed an initial set of three projects in the Kindergarten Expansion pipeline (upgrade of 2A Raleigh Street, Thornbury; Stage 1 expansion of Merri Community Child Care and Kindergarten; and expansion of Maryborough Avenue Kindergarten) and authorised the CEO to enter into a BBPA that would deliver the initial tranche of projects. The resolution deferred a decision on subsequent projects until further information was available. This included deferring a decision on whether to proceed with a second stage of expansion at Merri Community Child Care and Kindergarten.

The endorsed option expects to attract State Government grant funding in excess of the indicative 25% the four-year CWP budget has been based on. This is because the number of additional places expected to be created will attract grant funding more than the indicative 25%.

Endorsed Option	Deliverables	Additional licensed places created			
Option 3 Defer decision on Merri stage 2 until further information is available about feasibility and costs of expansion at other sites.	<ul style="list-style-type: none"> Upgrade of 2A Raleigh Street, Thornbury (22 additional places) Stage 1 expansion only of Merri Community Child Care and Kindergarten, Thornbury (5 additional places) 	27 in Thornbury			
	<ul style="list-style-type: none"> Expansion of Maryborough Avenue Kindergarten, Kingsbury (38 additional places) 	38 in Kingsbury			
	<ul style="list-style-type: none"> Expansion at 4th site, location to be confirmed (expected 22 additional places) 	22 (site TBC)			
	Future decision to be made about progressing either: <ul style="list-style-type: none"> Stage 2 expansion of Merri Community Child Care and Kindergarten, Thornbury (11 additional places) 	11 or 22 (site/s TBC)			

Endorsed Option	Deliverables	Additional licensed places created			
	OR <ul style="list-style-type: none"> Expansion at different site, location to be confirmed (expected 22 additional places) 				
	Potential Total No. Of Sites Expanded (TBC)	Potential Total Additional Places (TBC)	Budgeted Council Funds	Potential State Govt Grant (TBC)	Total Budget Allocation (Council & Grant)
	4 or 5 sites	Expected total: 98 to 109 places	\$6.2M	\$4.3M to \$4.8M	\$10.5M-\$11M (TBC)

The Council resolution also requested a report on the outcomes of feasibility assessments on the potential for expansion at five sites (JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten) by June 2024, to enable Council to decide which sites to include within the Kindergarten Expansion Program from 2024-25 through to 2026-27 to achieve the goal of maximising the number of additional places in areas of high need. This report was postponed to December 2024.

Current status of kindergarten expansion projects

Significant progress has been made across all projects referenced in the October 2023 Council resolution. The following table outlines the current status of all projects within the kindergarten expansion program:

Project	Status	Description
Upgrade of 2A Raleigh Street, Thornbury (22 additional places)	Construction commenced	Upgrade works have commenced on site and are due to be completed in December 2024. Progress on this project was delayed due to a significant delay in DE announcing the outcome of Council’s application for a grant of \$415,000 to support this work. After receiving notification of the success of the grant application, completion of the design and procurement for construction was expedited to ensure the facility will be ready to open in January 2025. This facility will be operated as a satellite site of Raleigh Street Community Children’s Centre.
Stage 1 expansion of Merri Community Child Care and Kindergarten, Thornbury (5 additional places)	Construction completed	The Stage 1 expansion works were completed in September 2024 supported by a State Government contribution of \$227,273 under the BBPA alongside funding from Council’s 2023-24 capital budget. This project was delivered within the allocated budget envelope. The Centre’s application to increase its number of approved places by 5 has been approved by the

Project	Status	Description
		regulator.
Expansion of Maryborough Avenue Kindergarten, Kingsbury (38 additional places)	Tender advertised	This project is fully designed and tender documents has been advertised. This expansion is part of the BBPA with DE with a confirmed State Government contribution of \$1,727,273. The funding agreement with DE has been signed. Council's contribution from the capital works budget is currently estimated at \$1.33M over two years (2024-25 and 2025-26). Approval to award the construction contract is expected to be brought to Council in February 2025, with work planned to commence in April 2025.
JS Grey Reserve Kindergarten expansion feasibility assessment and concept designs	Feasibility and concept designs complete	A feasibility study of options for JS Grey Kindergarten was completed in 2023-24 and a concept design completed for the option that best aligns with Council's objectives. Details are provided in the discussion section below.
Kindergarten Feasibility Study	Feasibility study complete	The feasibility study to assess the potential expansion options at Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten has been completed. Details of the potential options at each site are provided in the discussion section below.

Previous Council Resolution

At its meeting held on 23 October 2023, Council resolved:

That Council:

- (1) *Notes an update on the Kindergarten Expansion Program.*
- (2) *Endorses Option 3 of the Kindergarten Expansion Program which includes:*
 - a. *Approving delivery of the following projects in 2023-24 as part of the three-year-old kindergarten capital program:*
 - i. *Upgrade of 2A Raleigh Street, Thornbury to licensing standard (22 additional places).*
 - ii. *Stage 1 expansion of Merri Community Child Care & Kindergarten (5 additional places).*
 - b. *Agreeing in principle to the delivery of the expansion of Maryborough Avenue Kindergarten (38 additional places) (subject to confirmation through the annual budget process) to be delivered by January 2026.*
 - c. *Deferring a decision on Merri Stage 2 until further information is available about feasibility and costs of expansion at other sites, which will be known by 30 June 2024.*
- (3) *Delegates to the Chief Executive Officer to negotiate final details and enter into a Building Blocks Partnership Agreement, as outlined in draft form in Appendix D, with the Department of Education to confirm both parties' in principle agreement to fund and deliver the Stage 1 expansion of Merri Community Child Care & Kindergarten and the expansion of Maryborough Avenue Kindergarten, as well both parties' intention to continue to progress planning and design for potential expansion at other sites with a view to adding further projects to the expansion pipeline in future years.*

- (4) *Requests a further update on the Kindergarten Expansion Program, including on the progress of planning and design for expansion of other sites, by 30 June 2024 including a report on the outcomes of feasibility assessments on the potential for expansion at JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten, detailing the number of additional licensed places that can be delivered at each site and the cost estimates for these, to enable Council to make a decision about which sites to include within the Kindergarten Expansion Program from 2024-25 through to 2026-27 to achieve the goal of maximising the number of additional places in areas of high need.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.1 We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well

Council Plan 2021-2025 includes Strategic Action 2-6: Expand funded 3-year-old kindergarten. The expansion of kindergarten infrastructure and places is also referenced in Council Plan Big Actions 2: Plan infrastructure for decades to come and 10: Expand our delivery of quality universal services.

DISCUSSION

Feasibility Study findings

As noted above, the October 2023 Council Resolution requested a report on the outcomes of feasibility assessments on the potential for expansion at JS Grey Reserve Kindergarten, Gellibrand Crescent Kindergarten, Blake Street Kindergarten, Thornbury Kindergarten and Clyde Street Kindergarten, to enable Council to make a decision about which sites to include within the Kindergarten Expansion Program from 2024-25 through to 2026-27.

Feasibility assessments for the sites were completed by Gardiner Architects (Gellibrand Crescent, Blake Street, Thornbury and Clyde Street) and Mantric Architecture (JS Grey). The results of these studies and the options at each site are presented below. Also presented is the option for a Stage 2 expansion of Merri Community Child Care and Kindergarten, which Council deferred so it could be compared against options at other sites.

The feasibility assessment process included assessment of each site for:

- Site opportunities and constraints
- Existing building condition and functionality
- Existing services
- Options to increase licensed places and estimated costs
- Architects' recommendations

The feasibility assessments identified several options for each of the sites. Officers subsequently assessed these options against the following criteria that align with Council’s goal of maximising the number of additional places in areas of high need and the principles outlined in the *Early Years Infrastructure Planning Framework 2021-24*:

- Response to unmet demand for kindergarten places – to ensure every child in Darebin can access a kindergarten place.
- Value for money – cost to Council per additional licensed place created.
- Equity and choice – enabling families to have a choice of both sessional and integrated kindergarten programs accessible to them and promoting equitable access to sessional kindergarten particularly for families who may not be able to afford Long Day Care fees.
- Condition and functionality – addressing significant condition and functionality issues at facilities where possible and affordable to do so.
- Service operational and financial viability – supporting the long-term viability of community-managed services and protect against risk of loss of capacity due to service closure by enabling services to adopt financially sustainable operating models (e.g. increasing from single room to double room services to future-proof operational viability, aligning room sizes with educator to child ratios to improve financial viability).

The table below summaries the financial profile for the options for each site which best fit Council’s goals. **Appendix A (Confidential)** provides detail on the estimated costs of all assessed options across each site.

Site	Location	Current licensed capacity	Potential additional places created	Estimated State Government Contribution
Merri CCC&K – Stage 2	Thornbury	54	11	\$500,000
JS Grey Stage 1	Preston West	58	8	\$363,636
JS Grey Stage 2			22	\$1,000,000
Blake St Option B	Reservoir East/ Preston East	27	39	\$1,772,727
Clyde Street Option C	Thornbury	37	37	\$1,681,818
Gellibrand Crescent Option B	Reservoir North West	30	47	\$2,136,364
Thornbury Kinder	Thornbury	66	No viable options identified	

The estimated State Government contributions above are based on the standard Building Blocks Capacity Building grant funding amount of \$45,455 per additional license place created, which is the amount DE has previously agreed to fund projects in priority areas in Darebin. DE’s willingness to fund the projects will need to be confirmed through the BBPA process.

Factoring in the estimated State Government contribution allows us to estimate the required investment from Council per additional licensed place created by each project. It is important to note that the basis of these estimates varies depending on the stage of planning or design the project has reached (detailed design for Merri CCC&K; concept design for JS Grey, feasibility study only for all other sites).

Options

The table below provides an overview of the assessment of the best options for each site. More detail is provided in **Appendix B** which summarises the assessment of the best options for each site against the criteria outlined above.

Option	Response to unmet demand	Value for money	Equity & choice	Condition & functionality	Service operational & financial viability	Recommendation
Merri CCC&K, Thornbury, Stage 2	✓	✗	✓	✓	✓✓	Do not proceed with this option
JS Grey Kindergarten, Preston West, Stages 1 & 2	✓✓✓	✗	✓✓✓	✓✓	✓✓	Do not proceed with this option; explore other options to meet demand in this area
Blake Street Kindergarten, Reservoir South East, Option B	✓✓	✓✓✓	✓✓	✓✓	✓✓✓	Proceed to design
Clyde Street. Thornbury, Option C	✓	✓✓	✓	✓	✓✓✓	Do not proceed with this option; explore other options to address condition issues at the site
Gellibrand Crescent Kindergarten, Reservoir North West, Option B	✓✓✓	✓✓✓	✓✓✓	✓✓	✓✓✓	Proceed to design
Thornbury Kindergarten	✓	✗	✓	✓✓	✓	Do not proceed; explore other options to improve functionality and condition at site

Recommendations

Based on the assessment summarised above and outlined more fully in **Appendix B**, two projects are recommended to proceed to the design stage:

Recommended to proceed

Project	Rationale
Gellibrand Crescent Option B	Delivers a significant boost to capacity (47 places) at a low cost-per-place in an area with unmet demand and low provision of sessional kindergarten
Blake St Option B	Delivers a significant boost to capacity (39 places) at a low cost-per-place. Although overall unmet demand in the area is moderate, provision of sessional kindergarten in the area is low providing a strong equity-based rationale to expand this centre given its location in one of the most disadvantaged neighbourhoods in Darebin (SEIFA Index of Disadvantage 2021)

Not recommended to proceed

Project	Rationale	Proposed alternative options
Clyde Street Option C	Limited unmet demand in area due to other projects creating additional capacity	Explore potential to address condition issues through alternative grant options
JS Grey Stages 1 & 2	Cost to deliver either stage does not represent value-for-money for the additional places created	Explore other options to meet demand in this area
Merri CCC&K Stage 2	Limited unmet demand in area due to other projects creating additional capacity. Cost to deliver Stage 2 does not represent value-for-money for the additional places created	No other options identified at this stage
Thornbury Kindergarten	Limited unmet demand in area due to other projects creating additional capacity. No viable option identified. All options prohibitively expensive	Explore other options to improve functionality and condition at site without increasing capacity

Proposed pipeline of works

Based on the above analysis of options, the following pipeline of works is recommended:

Year	Projects		Additional licensed places delivered (on project completion)
	Currently underway or planned	Proposed additions to pipeline	
2024-25	Merri Stage 1 expansion - completed 2A Raleigh Street Upgrade – underway Commence Maryborough Avenue expansion – planned	Progress design for Gellibrand Crescent expansion	27 in Thornbury <ul style="list-style-type: none"> • 5 at Merri • 22 at 2A Raleigh Street
2025-26	Complete Maryborough Avenue expansion – planned	Commence Gellibrand Crescent expansion Progress design for Blake Street expansion	38 in Kingsbury (Maryborough Avenue)

2026-27		Complete Gellibrand Crescent expansion Deliver Blake Street expansion	47 in Reservoir North West (Gellibrand Crescent) 39 in Reservoir South East (Blake Street)
TOTAL number of additional places created			151

A high-level budget plan for this pipeline has been included at **Appendix C (Confidential)**. This option works within the Council funding allocation within the CWP budget for this financial year and the next two years. Additional contingency has been factored in each year in recognition of the uncertainty around the costs of projects that are yet to be fully designed.

It is important to note the viability of the proposed expansions at Gellibrand Crescent and Blake Street are subject to further testing of options through the design process. The delivery of expansions at these sites would also be subject to DE agreeing to fund those projects at the rate of \$45,454 per additional licensed place, the agreed rate for earlier projects in the pipeline. This is dependent on DE agreeing with Council's assessment of the need for both projects.

Council's approval for these sites to be added to the BBPA pipeline would represent an in-principle approval of these projects only, based on which officers will progress these projects to the next stages of design. Council will be updated on these projects as they progress through design and Council's approval will be required before the projects progress to construction phase. If, through the design phase, there are any significant variations to the feasibility, cost or size of the expansions achievable at either site, Council will be provided with the opportunity to revisit the options for these sites and/or options for other sites worthy of consideration. Council will also have the opportunity through the annual budget processes for 2024-26 and 2026-27 to decide whether or not to commit funds to these projects.

Update on Department of Education led projects in Darebin

Council's collaboration with DE also includes working closely to support the Victorian School Building Authority (VSBA) program to deliver new infrastructure on school sites and other locations.

One new kindergarten has already been delivered through the VSBA's Kindergarten on School Sites (KOSS) program: the Reservoir East Family Centre opened in February 2023 on the Reservoir East Primary School site. This facility includes three kindergarten rooms with a maximum total capacity of 99 licensed places, and two MCH consulting rooms which were funded by Council. Council has a 20-year lease on this facility which commenced in 2023, with two further 10-year options. Two of the kindergarten rooms have been sub-leased to Kids First Australia (a not-for-profit community organisation) to provide kindergarten services.

A second KOSS, Thornbury High School Kindergarten (interim name), is under construction and will open in January 2025 with a license for 99 places. As is DE's standard approach, Council was offered first refusal on a lease for the new kindergarten. At the Council meeting on 17 June 2024, Council resolved not to take on the lease for this facility. Subsequent to this decision, DE has selected ECMS (a not-for-profit early years management service) as the service provider for this facility. The service is now taking registrations through the Council's Kindergarten and Child Care Registration System.

A third site, Reservoir Views Primary School Kindergarten (interim name), has been announced for delivery in Reservoir North East, to open in Term 1, 2026. The site will have three kindergarten rooms, with the full scope of the facility still to be confirmed. The option for Council to lease this facility will need to be considered in 2025.

There is no further update on the planned State Government built and managed Early Learning Centre in Reservoir. This centre was announced as one of 50 State Government-owned and run early learning centres to be delivered across Victoria in areas of high need for childcare. The facility will provide childcare, sessional three- and four-year-old kindergarten and potentially additional services. Details of the location, timing and size of this facility are yet to be confirmed.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The recommended options are within the Council's funding allocation within the CWP budget for the next four-years. They seek to use Council funding to leverage maximum available investment from the State Government through the Building Blocks funding.

To the maximum extent possible within available budgets, expansion projects will seek to deliver increased capacity and improve the condition of the facilities with a view to reducing future maintenance costs.

The proposed high-level budget plan has adopted a conservative approach to budgeting for expansion by allowing for additional contingency above that which is allowed for within the project cost estimates.

It is important to note that adding a project into the BBPA pipeline does not commit Council to funding construction of these projects. The projects in the pipeline are agreed to in-principle only. The projects still need to go through all phases of planning and design, and to be tendered for construction before construction funds are fully committed. Council will also have the opportunity through the annual budget process for 2025-26 and 2026-27 to decide whether or not to commit funds to these projects.

Significant budget pressures require careful management

High inflation and very high construction sector inflation has put substantial budget pressure on the local government sector, including Darebin. In the past four years, costs have increased more than revenue by an estimated \$78 million.

Council has managed this significant pressure by improving efficiency, deferring some work and by reducing funding for infrastructure. With higher prices, and to remain financially sustainable, Council must carefully monitor and prioritise its budgets for the 4-year Council term and beyond.

This decision and financial effects

Options in this report would commit Council to funding in future years budgets. There is significant budget pressure overall, and any commitments should be carefully considered in the context of other priorities.

Most of Council's adopted budget funds long established Council services and maintenance of existing infrastructure. There are two parts of the budget reserved for new initiatives: the operating projects budget (forecast at \$2M per year subject to future Council decisions), and the capital improvements budget (forecast at \$5M per year subject to future Council decisions).

Unless otherwise specified, any decisions that commit to additional costs above and beyond the adopted budget, or which commit to operating projects or capital improvements would be offset by reducing the operating projects budget or the capital improvement budget (whichever is relevant) when the draft 2025-26 budget is developed. The draft budget will be discussed with Councillors and further developed ahead of community consultation in the first half of 2025.

Community Engagement

Community and stakeholder engagement was undertaken on the *Early Years Infrastructure Planning Framework 2021-2041*, which provides the overarching framework under which the proposed kindergarten expansion projects would be delivered.

The process for engagement with services that lease the facilities included in this pipeline has been as follows:

1. Initial engagement

Officers introduced the potential for expansion at their site and ascertained the service's initial response.

2. Engagement with services by appointed architects to inform feasibility studies and initial schematic design development

The level of engagement with services by architects has varied depending on the architect's brief. For the sites in the initial tranche of projects, architects had a brief (upon commencement) that included engaging with services on their specific needs and aspirations for the sites to inform concept designs. For the subsequent feasibility study process, the architects were given a more technical brief to assess the feasibility of expansion at each site. As a result, engagement with services was limited to information gathering to inform this assessment, with more comprehensive engagement to be undertaken with those services at approved sites to progress to next stage in the selection process.

3. For sites selected to progress to the next stage, extensive engagement to inform the development of designs at each stage of the design process, from concept design to detailed design to full tender documents

For sites that have progressed to this stage (Merri Community Child Care Centre and Kindergarten, Maryborough Avenue Kindergarten and Raleigh Street Community Children's Centre for 2A Raleigh Street) the relevant services have had multiple iterative opportunities to inform the design through discussions with officers and architects. This includes the opportunity to discuss their requirements with the architects and then provide feedback on designs at each stage (concept, detailed, full tender documents). This has provided services with the opportunity to inform a wide range of aspects of the design from key structural decisions about floorplans to specific decisions about finishings and fittings. Operational issues and impacts of construction are also discussed at length with the services in preparation for the construction phase.

Next steps for engagement:

- For sites selected to progress to the design stage, in-depth engagement will commence once architects are appointed (as per point 3 above).

- For sites not selected to progress to the design stage, officers will engage with the services to explore other options for the site as described in the discussion section above (e.g. exploring other grant opportunities to address condition or functionality issues).

Engagement with communities at the proposed sites for new kindergartens on school sites in Thornbury and Reservoir, and the new Early Learning Centre in Reservoir, is the responsibility of State Government. Officers will provide support to this engagement as appropriate.

Other Principles for consideration

The kindergarten expansion program seeks to deliver equitable access to kindergarten programs for current and future generations of three- and four-year-old children.

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Environmental sustainability considerations are a central consideration within the scope of works for design and delivery of all kindergarten expansion projects, in line with the Early Years Infrastructure Planning Framework principles and the Environmentally Sustainable Design Building Policy.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

An Equity Impact Assessment was undertaken during the development of the Early Years Infrastructure Planning Framework, which is guiding this program of work. The planning principles from the Early Years Infrastructure Planning Framework have been used throughout the planning and delivery of this program to date, with a particular focus on addressing equity and inclusion through application of the following principles:

- Equity. Ensuring equitable access to affordable and high-quality services across Darebin, with a focus on ensuring access for communities experiencing disadvantage.
- Access. Providing accessible conveniently located facilities for all children and families, including those with disability, and addressing gaps in the current supply.
- Diversity and inclusion. Providing welcoming, culturally safe and inclusive facilities and services for all children and families.
- Choice. Supporting a diversity of service models so that families have the opportunity to choose services that suit their circumstances, preferences and needs, including both sessional and integrated kindergarten programs.

Economic Development and Cultural Considerations

Economic development considerations are addressed through the procurement process for design and construction through application of the Social and Sustainable Procurement Policy.

Operational Impacts

Officers from Community Services and Development and Capital and Major Projects are working closely with colleagues in relevant operational teams, particularly Facilities Management and Parks and Open Space to ensure operational and maintenance considerations are appropriately considered in the planning and design of the expansion projects.

Legal and Risk Implications

The legal and risk issues for each proposed project will be assessed further as projects progress through the planning and design process.

IMPLEMENTATION ACTIONS



Next steps

- Maryborough Avenue Kindergarten construction contract to be brought to Council for approval February 2025
- For subsequent projects in pipeline – if recommended options endorsed:
 - Negotiate with State Government to add additional sites to Building Blocks Partnership pipeline – securing the State Government's in-principle agreement to contribute to the projects.
 - Progress design for Gellibrand Crescent from January 2025. Aim to be ready to tender for construction early in 2025-26.
 - Progress design for Blake Street in 2025-26. Aim to be ready to tender for construction in late 2025-26 or early 2026-27.
- For sites not selected to progress to design, officers will engage with the services to explore other options for the sites as described in the discussion section above (e.g. exploring other grant opportunities to address condition or functionality issues).
- Engagement with DE will continue to be a high priority, focussing on how Council and State Government can continue to work together to meet the future unmet demand in priority areas across Darebin.

RELATED DOCUMENTS

- Early Years Infrastructure Planning Framework 2021-2041
- Darebin Kindergarten Infrastructure and Services Plan
- Building Blocks Partnership Agreement Memorandum of Understanding

Attachments

- Appendix A Cost estimates for all options at each site (**Appendix A**) Confidential - enclosed under separate cover
- Appendix B Summary assessment of best options at each site (**Appendix B**)  
- Appendix C High level budget plan for Kindergarten Expansion Pipeline (**Appendix C**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Appendix B – Assessment of best options at each site

Gellibrand Crescent Option B

Current capacity	One children's room licenced for 30 places.
Summary of preferred option	The proposed option B would increase the licensed capacity by 47 places by creating 2 additional rooms to deliver a total licensed capacity of 77 children across the 3 rooms.
Operational impacts	The total licensed capacity of 77 places under this option aligns with the 1:11 educator to child ratio. An operational drawback is that two of the three rooms would not align with the required 1:11 educator to child ratio (the rooms capacities would be 22, 37 and 18 respectively).
Building condition and functionality	<p>The building fabric of the property at Gellibrand Crescent has considerable issues in terms of previous leaks, vast areas of single glazing and tired interiors. The organisation of the facility as well as the staff areas are in need of substantial improvements. The architects assessment placed a high emphasis on this kindergarten's need for improvement.</p> <p>The proposed design incorporates the relocation of the entry to provide a foyer, allowing access to not be directly into a playroom. It also provides are larger office, separate staff room, a kitchen and new DDA toilet.</p>
Cost assessment	Assuming that DE agrees to the estimated contribution of \$2,136,364 this project represents an excellent cost per place return for Council below \$50k per additional place created.
Unmet demand	Unmet demand is projected in Reservoir North West from 2028 onwards, reaching 94 places by 2036.
Equity & Choice	<p>Gellibrand Crescent is the only sessional kindergarten service in this locality following the closure of the Kookaburra Kindergarten in 2022. Gellibrand has been unable to meet demand in the area in recent years.</p> <p>The Reservoir North-West area is an area of relative socio-economic disadvantage compared to the Darebin average, which further reinforces the need to ensure access to sessional kindergarten in this area as Long Day Care services may be unaffordable for some families.</p>
Other considerations	The site was previously used as a petrol station, and asbestos removal has also previously taken place. Further site investigation will be required before construction begins to ensure the site is free from contamination.
Recommendation	Progress this project to further stages of design, with a view to delivering an expansion in this site in 2025-26 or 2026-27.

Blake St Option B

Current capacity	One children's room licenced for 27 places.
Summary of preferred option	The proposed option B would increase the licensed capacity by 39 places up to 66, by extending the existing room to accommodate an additional 6 children and creating a new second room for 33 children.

Operational impacts	This would deliver the ideal model from an operational perspective of 2 x 33 place rooms, which aligns with the 1:11 educator to child ratio.
Building condition and functionality	<p>Building is serviceable but tired. Substantial retention recommended with improvements to building fabric to improve comfort of internal spaces and compliance with ESD requirements. Aspects of this work include insulating roof, replacing windows and repairing areas of water damage.</p> <p>The proposed design incorporates adjusting staff areas to allow for circulation between both playrooms as well as better organised ancillary spaces.</p>
Cost assessment	Assuming that DE agrees to the estimated contribution of \$1,772,727, this project represents an excellent cost per place return for Council below \$50k per additional place created.
Unmet demand	Blake Street Kindergarten is located in the southern part of Reservoir South East locality, close to the border with Preston East. The centre is therefore well located to service demand from both localities. Reservoir South East is not projected to have unmet demand before 2036, due to significant additional capacity that has been introduced in recent years with the opening of the Reservoir East Family Centre Kindergarten and two new large private Long Day Care centres in the area. Preston East by contrast is projected to see unmet from 2035 onwards, reaching 205 places by 2036.
Equity & Choice	<p>Reservoir South East is well serviced for sessional kindergarten with Reservoir East Family Centre, Oakhill Family Centre and Blake Street Kindergarten all providing sessional services in the area.</p> <p>Preston East is less well serviced with Gower Street Kindergarten and East Preston Islamic College the only sessional kindergartens in an area where provision is dominated by Long Day Care services.</p> <p>Blake Street Kindergarten is located in one of Darebin's most disadvantaged areas, that has been a priority for Council's place-based community development work for several years. Access to sessional kindergarten services is particularly important in areas of socio-economic disadvantage to ensure equitable participation in kindergarten, as Long Day Care services may not be affordable for many families.</p>
Recommendation	Progress this project to further stages of design, with a view to delivering an expansion in this site in 2025/26 or 2026/27.

Clyde Street Option C

Current capacity	One children's room licenced for 29 places.
Summary of preferred option	The proposed option C would increase the licensed capacity by 37 places through delivering a total area accommodating 66 children spread between the 2 rooms.
Operational impacts	The total licensed capacity of 66 places under this option aligns with the 1:11 educator to child ratio. The proposed design provides the flexibility of allowing these rooms to be managed separately or to be opened up as one large, flexible playroom. A drawback is that the two rooms would not align with the 1:11 ratio if managed separately; one room would be large enough for 26 children, the other 40 children.

Building condition and functionality	Basic building construction, serviceable but requiring some maintenance and upgrading. Substantial retention recommended with improvements to building fabric to improve comfort of internal spaces and compliance with ESD requirements. The cost to refurbish and upgrade existing building areas adds a considerable amount to the overall construction price.
Cost assessment	Assuming that DE agrees to the estimated contribution of \$1,681,818 this project represents a reasonable cost per place return for Council at between \$50k-\$75k per additional place created.
Unmet demand	The most recent draft estimates of unmet demand received from DE show limited projected unmet demand in Thornbury. These figures show no unmet demand in the area until 2035, and a total shortfall of 80 places by full roll-out of Pre-Prep in 2036. This is largely the result of the additional capacity that has been created in this locality by Council and DE through the delivery of the Thornbury High School Kindergarten, 2A Raleigh Street upgrade and Merri Stage 1 expansion, which have delivered a combined total of 126 new licensed places for the area in 2025. Therefore from a demand perspective the Thornbury locality is a low priority.
Equity & Choice	Thornbury is well serviced for sessional kindergarten, with Thornbury Kindergarten, Clyde Street Kindergarten and from 2025 the new Thornbury High School Kindergarten. Overall, Thornbury is ranked above the Darebin average (less disadvantaged) on the SEIFA Index of Relative Disadvantage.
Other considerations	Considering Clyde Street Kindergarten is a part of a larger Council property which also includes Span Community House, the Clyde Street Community Hall and a currently vacant tennis court, an upgrade to the kindergarten facility may be more suitable to be considered within an analysis of the use and organisation of spaces throughout the entire building footprint.
Recommendation	Do not progress design for expansion at this site at this stage. Explore opportunities for a Building Blocks Improvement Stream grant to address condition issues at the site.

JS Grey Stages 1 and 2

Current capacity	Two children's rooms licensed for 58 places. The Centre also includes two Maternal and Child Health (MCH) rooms
Summary of preferred option	The Stage 1 expansion of this site would increase the licence capacity by 8 places to 66 places by reconfiguring the existing layout of the main building to create 2 x 33 place kindergarten rooms and relocating the two MCH rooms into the portable that currently serves as the second kindergarten room. A potential second stage would further increase the license by 22 places to 88 by creating a new 22 place kindergarten room on the site of the current portable and moving the MCH service off-site to a new location.
Operational impacts	The configurations of 2x33 place rooms after Stage 1 and 2x33 plus 1x22 after Stage 2 aligns with the 1:11 educator to child ratio.

Building condition and functionality	<p>JS Grey's building condition is similar to other sites discussed in this report. It was assessed by Facilities Management in 2023 as not currently requiring renewal/refurbishment.</p> <p>The proposed design for Stage 1 would enhance functionality for the kindergarten by consolidating the kindergarten services within the main building.</p>
Cost assessment	<p>The estimated cost to deliver the additional 8 places at Stage 1 is very high, at over \$275k per place cost to Council, assuming a total State Government contribution of \$363,636.</p> <p>The estimated costs for Stage 2 works on site are more reasonable at between \$50k-\$75k per place cost to Council, assuming a total State Government contribution of \$1,000,000. However, this does not include the cost of constructing a new MCH facility at a new location to replace the two MCH rooms that would need to be moved off site. This project is only viable if a new MCH location to serve this areas is identified and if the costs of a new MCH facility was affordable.</p>
Unmet demand	<p>Preston West is the highest priority area for expansion works. It is the locality with the most significant projected unmet demand in Darebin according to the most recent estimates provide by DE. The area is forecast to have unmet demand from 2026 onwards, and this demand is forecast to exceed 100 places from 2028 and go as high as 487 places by 2036. There are currently no infrastructure in Council or DE's pipeline which service this area.</p>
Equity & Choice	<p>JS Grey is the only sessional kindergarten service in this locality and is consistently unable to meet demand for sessional kindergarten places in the area.</p> <p>The Preston West area is ranked just above the Darebin average (slightly less disadvantaged) on the SEIFA Index of Relative Disadvantage.</p>
Other considerations	<p>Council received a Building Blocks Planning Grant of \$150,000 to progress planning and design for an expansion of this site, and has spent approximately \$70,000 of this grant on the project to date. If Council decides not to progress this project further, we may be able to negotiate with DE to reallocate the remaining \$80,000 to planning and design for a different site.</p>
Recommendation	<p>Do not progress design for expansion at this site at this stage.</p> <p>Engage in further discussions with DE about the unmet demand in the Preston West area, and explore whether there any other viable options for addressing this (e.g. Kindergarten on School Site projects).</p>

Merri CCC&K – Stage 2

Current capacity	<p>With completion of the Stage 1 expansion of this site, the Centre now has a licensed capacity of 54 places across four rooms. This includes 16 places in the four-year-old room and 16 places in the newly extended three-year-old room.</p>
Summary of preferred option	<p>The Stage 2 expansion of Merri would increase the licence by 11 places by creating an a new 11 place room.</p>

Operational impacts	The service has identified that the additional room would allow them to provide additional kindergarten capacity, including the provision of a sessional kindergarten program in the new room.
Building condition and functionality	The building is in reasonable condition after receiving a number of improvements during the Stage 1 expansion. Stage 2 would provide improved administrative and staff areas on a newly created first floor to create space on the ground floor for the additional children's room.
Cost assessment	The costs to deliver the additional 11 places are very high, at over \$200k per place cost to Council factoring in a State Government grant of \$500,000 (which has already been agreed in-principle under the Building Blocks Partnership Agreement).
Unmet demand	The most recent draft estimates of unmet demand received from DE show limited unmet demand in Thornbury. These figures show no unmet demand in the area until 2035, and a total shortfall of 80 places by full roll-out of Pre-Prep in 2036. This is largely the result of the additional capacity that has been created in this locality by Council and DE through the delivery of the Thornbury High School Kindergarten, 2A Raleigh Street upgrade and Merri Stage 1 expansion, which have delivered a combined total of 126 new licensed places for the area in 2025. Therefore from a demand perspective the Thornbury locality is a low priority.
Equity & Choice	<p>Thornbury is well serviced for both sessional kindergarten (three sessional services will be operational from 2025) and community-managed childcare with Merri Community Child Care & Kindergarten and Raleigh Street Community Children's Centre both servicing the area.</p> <p>Overall, Thornbury is ranked above the Darebin average (less disadvantaged) on the SEIFA Index of Relative Disadvantage.</p>
Recommendation	Do not progress design for expansion at this site at this stage.

Thornbury Kindergarten

Current capacity	Two children's rooms licenced for 66 places in total.
Summary of preferred option	No preferred options were identified for this site as all options put forward by the architects were prohibitively expensive for limited benefit due to the significant constraints of the site.
Operational impacts	With 66 existing places across two rooms the service already has an operational model that aligns with the 1:11 educator to child ratio.
Building condition and functionality	The building fabric is basic construction, serviceable but tired. Dependant on the option selected, a substantial retention of the existing building is possible. Improvements to the building fabric are needed to improve the comfort of internal spaces and compliance with ESD requirements. Finishes are generally tired and worn with some newer bathroom facilities for staff and children.
Cost assessment	The costs of achieve a useful increase to the licensed places at this are prohibitive.
Unmet demand	The most recent draft estimates of unmet demand received from DE show limited unmet demand in Thornbury. These figures show no unmet demand in the area until 2035, and a total shortfall of 80 places

	<p>by full roll-out of Pre-Prep in 2036. This is largely the result of the additional capacity that has been created in this locality by Council and DE through the delivery of the Thornbury High School Kindergarten, 2A Raleigh Street upgrade and Merri Stage 1 expansion, which have delivered a combined total of 126 new licensed places for the area in 2025. Therefore from a demand perspective the Thornbury locality is a low priority.</p>
Equity & Choice	<p>Thornbury is well serviced for sessional kindergarten, with Thornbury Kindergarten, Clyde Street Kindergarten and from 2025 the new Thornbury High School Kindergarten.</p> <p>Overall, Thornbury is ranked above the Darebin average (less disadvantaged) on the SEIFA Index of Relative Disadvantage.</p>
Other considerations	<p>The architects feasibility assessment for this site notes that over the years, this building has gradually been adjusted. The outcome is the need for a majority of the interior to be reworked to allow the spaces to be better organised. They suggest that the findings for the site appear to warrant a larger project, separate to the feasibility assessment for which they were engaged.</p> <p>These functionality issues, combined with the condition issues, suggest that the site may be a more suitable candidate for a Building Blocks Improvement Stream grant focused upgrades, refurbishments and renovations of facilities without the requirement to increase licensed capacity.</p> <p>If the MCH service could be relocated to another site (potentially Thornbury High Kinder) then options for this site could be revisited, but the cost of all options identified by the architect make this a cost prohibitive option at this stage</p>
Recommendation	<p>Do not progress design for expansion at this site at this stage.</p> <p>Explore opportunities for a Building Blocks Improvement Stream grant to address condition and functionality issues at the site.</p>

9.5 MIGRATION PUBLIC ARTWORK LOCATION OPTIONS**Author:** Art and Collections Coordinator**Reviewed By:** Acting General Manager Community

EXECUTIVE SUMMARY

This report summarises the location scouting undertaken by Council officers in collaboration with commissioned artist James Nguyen to find a suitable, prominent and accessible location for the Migration Public Artwork.

Following extensive investigations into location options, officers recommend the artwork be installed in GE Robinson Park, Reservoir.

The Migration Public Artwork project is seeking Council's endorsement of the preferred location. The deadline for the delivery of this project has been extended from March to June 2025 to present Council with a range of suitable location options for consideration. A decision on location is now required to ensure the project is delivered this financial year within the agreed budget and contract parameters. Should a decision on the location not be made at the December 2024 meeting, Council may face a potential breach of contract.

Officer Recommendation

That Council:

- Endorses GE Robinson Park, Reservoir, as the permanent location for the Migration Public Artwork to be installed.
 - Endorses installation of a small plaque that includes the artist's name, artwork title, brief project information and a QR code linking to more detailed information about the commissioned artwork.
-

BACKGROUND / KEY INFORMATION

Following a decision of Council, the Art, Collections and Marketing unit have been working with a Migration Public Artwork Community Reference Group on the design and delivery of a significant public artwork to elevate and reflect on the story of migration in Darebin.

This project is an opportunity for Council to acknowledge Darebin's migration story through the installation of a permanent new cultural asset in the public realm. This piece of public art is intended to become a place of inter-cultural connection and reflection, and act as a place of gathering on days of multi-cultural significance for Darebin's diverse community.

In January 2024, Council endorsed a delivery model and timeline for this project, central to which was the key milestone of selecting an artist for this commission by August 2024.

The endorsed project plan includes the following agreed actions which have now been delivered:

- Consultation with migrant and CALD community groups in Darebin.
 - Development of a Community Reference Group comprised of people with lived experience of migration.
-

- Delivery of an Expressions of Interest (EOI) process to enable community members to nominate themselves for the Community Reference Group.
- Co-design of the artist brief by the Community Reference Group.
- Shortlisting of artists in consultation with the Community Reference Group.
- Engaging shortlisted artists to develop an artwork concept for this commission.
- Assessing the shortlisted artists' concept proposals with the Community Reference Group and recommending an artist and concept to Council for this commission.

In August 2024, Council endorsed the recommendation of the Migration Public Artwork Community Reference Group to appoint James Hong An Nguyen as the successful recipient of this public art commission.

Recommended artist and concept

JAMES NGUYEN – SAFETYNET

James Nguyen is a Vietnamese migrant who arrived in Australia at the age of eight on a Refugee Family Reunion Visa. His concept proposal 'SAFETYNET' draws on the motif of a Vietnamese fishing net, creating an abstract sculpture that allows for many diverse interpretations.

The fishing net presents a dual metaphor for migration as both a safety net that supports and bolsters those who need it, and also a net in which one might be caught in or slip through the gaps. In this way, Nguyen's concept speaks to both the opportunities and the challenges experienced by many migrants starting a new life in a different country.

Migration Public Artwork Community Reference Group and Assessment Process

The Community Reference Group was recruited through an EOI process and includes migrants with lived experience from diverse cultures and backgrounds, two members of the Darebin Art and Heritage Advisory Committee and Council's Curator.

Migration Public Artwork Community Reference Group members:

- Voula Psaroudis – Greek migrant who has lived in Darebin since 1975.
- Hanh Huynh-Pitts – Vietnamese migrant who has lived in Darebin for 37 years.
- Charlotte Watson – New Zealand migrant who lives and works in Darebin.
- Suriyan Nalliah – Sri Lankan migrant who moved to Australia in 1981. Representative from the Darebin Ethnic Communities Council.
- Asha Bee Abraham – Chinese-Indian Singaporean migrant. Representative from the Darebin Art and Heritage Advisory Committee.
- Victoria Jones – Scottish migrant. Representative from the Darebin Art and Heritage Advisory Committee.
- Sarah Werkmeister – Darebin Council Curator.

The Community Reference Group:

- Collaboratively co-designed the Artist Brief for the Migration Public Artwork commission.
- Oversaw the Artist Expressions of Interest process and shortlisting.
- Undertook artist/concept assessment.

- Developed agreed recommendations on preferred Migration Public Artwork artist and design which were presented to Council in August 2024.

Assessment Panel Feedback

On recommending James Nguyen as the recipient of the Migration Public Artwork commission, the Community Reference Group provided the following feedback:

- While working from personal experience, the artist has successfully developed a concept that is broad and accessible to people from all different backgrounds.
- The artist has developed a concept which acknowledges both the positive opportunities and the challenges that migration can offer.
- The artist has given careful consideration to the ways in which community members might engage with the work and has designed a sculpture with interactive elements.
- The artist has considered audience access needs and is consulting with Arts Access Victoria to ensure the accessibility of his design.
- The artist has demonstrated a willingness to work collaboratively with Council, and make adjustments to his design as required, to achieve the best outcome.
- The artist has presented a strong mentor proposal, budget and concept submission that demonstrates he will be capable of delivering a public art project of this scale.
- The artist has a strong and direct connection to Darebin.

Signage for the Migration Public Artwork

A small signage plaque is proposed to be installed next to the artwork. It will reference the artist's name, artwork title, brief project information and a QR code that links to the Council website providing detailed information about the commissioned artwork and the project.

Location for the Migration Public Artwork

The Migration Public Artwork was originally intended to be installed in the Preston Civic Precinct, adjacent to the Intercultural Centre, on the corner of Gower and High Streets, Preston. In June 2024, concerns were raised by Council around the safety of this location at the intersection of two busy main roads, as well as the congestion of other public artworks and monuments already located in this precinct that may detract from the Migration Public Artwork.

At the August 2024 Council meeting, Council endorsed officers to explore possible alternate locations for the permanent installation of the artwork, in consultation with the artist. This location scoping has been undertaken over the past two months and options are presented to Council in the Discussion section of this report.

Consultation with the artist in September 2024 revealed they would prefer the artwork to be located in Reservoir, but they were flexible regarding the location.

Previous Council Resolution

At its meetings held on the following dates, Council resolved:

24 April 2023

'That Council: ...

- (1) *Notes that Council has identified prior a public art commission project, the installation of a civic art work that elevates and celebrates the history of migration to the municipality, and that this project has not been delivered.*
- (2) *Refers for consideration to the budget process for 2023/2024 the following: ...*
 - c) *The Multicultural Civic Artworks that elevates & celebrates the story of Migration.'*

26 June 2023

'That Council: ...

- (7) *In accordance with section 94 of the Local Government Act 2020 adopts the 2023-24 Budget (incorporating the 4-year budget) (Appendix C) with the following amendments:*
 - c) *Include \$20k for the scoping out for a migration monument.'*

8 January 2024

'That Council:

- (1) *Endorses Migration Public Artwork Delivery Option 1 as outlined in **Appendix A** to progress the scoping study for the Migration Public Artwork as funded in the 2023/24 Council Plan and Budget.*
- (2) *Endorses Migration Public Artwork Funding Strategy Option 2 – refers consideration of whether to fund \$180,000 to commission the public art work to the 2024/25 Council Plan and Budget process for consideration and prioritisation against other capital priorities and community needs.'*

24 June 2024

'That Council: ...

- (9) *Requests that officers hold discussions with the preferred candidate for the Migration Public Artwork about the most appropriate and prominent location to place this artwork in the municipality and communicate this intention to shortlisted artists.*
- *Allocates \$180,000 to commission the public artwork as part of the 2024/25 capital budget.'*

14 August 2024

'That Council: ...

- (1) *Thanks all artists that expressed an interest in the Migration Public Artwork and in particular the four shortlisted applicants that progressed to concept development stage.*
- (2) *Thanks the Migration Artwork Community Reference Group for their support and guidance with this important project.*
- (3) *Notes the assessment undertaken by the Migration Artwork Community Reference Group and recommendation as outlined in confidential Appendix A.*

- (4) *Awards the Commission for the Migration Public Artwork to James Nguyen for the work entitled SAFETYNET.*
- (5) *Notes that Council officers will work with the recommended artist on the most appropriate prominent location for the artwork to be installed.*
- (6) *Note the progress of the Migration Public Artwork project implementation to date.*
- (7) *Note the action plan for the location selection, fabrication and installation of the Migration Public Artwork.*
- (8) *Authorises the Chief Executive Officer to release from confidence Appendix A at the earliest possible opportunity.*
- (9) *Requests that Council officers undertake a detailed risk and safety assessment prior to the installation of the Migration Public Artwork.'*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

1.2 We will help to build an inclusive and empowered community, where social cohesion and community harmony are fostered

1.3 We will embrace diversity and ensure everyone is included in our society, and no one is left behind – by combating discrimination, and championing equity, inclusivity and diversity

2.2 We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving

DISCUSSION

Officers have undertaken investigations into a range of possible sites across Darebin, with a focus on the northern part of the city, which has the lowest distribution of permanent public art in the municipality, and some of the highest concentrations of migrant residents.

In collaboration with the artist, officers have investigated the originally proposed site of Preston Civic Precinct, as well as identifying several alternate locations in Preston, Reservoir and Bundoora.

All sites investigated have been assessed against the following criteria:

1. **Prominence/public visibility** – Is the location highly visible to passers-by? Is the location a high-traffic area?
2. **Safety** – What is the ground surface below and around the artwork? Is there space for a soft-fall base to be installed? Is there room for pedestrians to move around the artwork (including with prams and walking aids)?
3. **Access and enjoyment of the artwork** – Is there space for community members to spend time with/interact with the artwork? Is the location suitable for community to congregate on days of cultural significance?

4. **Diversity of local audiences** – Are community members of diverse ages, genders, and cultural backgrounds likely to frequent this location?
5. **Distribution of Public Artworks and Memorials** – Are there other artworks or memorials in the immediate vicinity that might detract from this artwork? Does the location contribute to an even spread of artwork across the municipality?

All nine locations considered are outlined in the table below. Four of these locations are recommended for possible endorsement.

Please note: Officers have reached out to relevant sporting clubs and friends groups of the four recommended options; however, feedback is yet to be received at the time this report was prepared and submitted.

A full assessment of each location is provided in Appendix E. Officers recommend the proposed location: **GE Robinson Park, Reservoir**.

LOCATION OPTIONS	Prominence/ Visibility	Safety	Access & Enjoyment	Diversity of Local Audience	Distribution of Public Artworks & Memorials
GE Robinson Park, Reservoir Officer Recommendation 1	Yes	Yes	Yes	Yes	Yes
Preston City Oval, Preston Officer Recommendation 2	Yes	Yes	Yes	Yes	Partly
Bundoora Homestead Art Centre, Bundoora Officer Recommendation 3	Yes	Yes	Yes	Yes	Yes
IW Dole Reserve, Reservoir Officer Recommendation 4	Yes	Yes	Yes	Partly	Yes
Preston Civic Precinct, Preston	Yes	No	No	Yes	No
Reservoir Library / RCLC, Reservoir	Yes	No	No	Yes	Yes
Edwardes Lake Park, Reservoir	Yes	Yes	Yes	Yes	Yes
JC Donath Reserve, Reservoir	Yes	Yes	Yes	Partly	Partly
HP Zwar Reserve, Preston	No	Yes	Yes	Yes	Yes

Risks

Timeline risks are significant, with further project delays potentially creating a breach of contract with the artist.

Financial risks associated with delays

There are several financial risks should Council not endorse a location at its December 2024 meeting and the project be delayed:

- Fabrication and installation of the migration artwork cannot progress until a Council decision on the intended location for the artwork is made. This information is required so the artist can confirm the exact measurements and footings of the work are suitable for the chosen location.
- The contract, valued at \$160,000, has been signed with the artist including an agreed timeline. If a location is not endorsed in December 2024, the Migration Public Art commission contract would need to be further extended which poses the risk of losing the artist and fabricator who are engaged in other projects, and potentially breaching Council's contract with the artist. Please note: \$40,000 has been paid upon commencement of the contract. A second payment of \$40,000 is due in December 2024.
 - As per the Artist Contract: "The Artist may terminate this agreement by giving Council 28 days' written notice if Council is more than 28 days late in making a payment due under this agreement, in which case the Artist will be entitled to:
 - 13.3.1 receive and retain payment for work done up to the date of sending such notice; and
 - 13.3.2 payment of a proportion of the Final Amount which Council determines would have been due had the Work been completed based on the stage of completion of the Work which had been reached at the time of termination."
 - Should the contract be further delayed, Council may be at risk of writing off \$80,000 (depending on works undertaken by fabricator to date) on the project.
- Any delays will require roll over of project budgets into 2025-26 financial year.

Risks associated with additional consultation

Undertaking additional community engagement on the location of the Migration Public Artwork project will increase the financial risks outlined above.

Any delays due to additional community engagement will require an amendment to the current artist agreement, as this is outside the agreed contract process and timeline. All parties are required to agree to the variation for it to be valid. This has not been discussed with the artist to date, and as such, the artists stance on unanticipated delays are unknown.

Should Council wish to progress with additional engagement, two approaches could be considered:

- **Option 1** (lower risk) – *2-3 month delay*. An additional meeting of the Community Reference Group to discuss preferred location would add two months to the timeline. This would consist of a Community Reference Group meeting in January 2025, and preparation of a Council Report seeking endorsement of a location in February 2025.
- **Option 2** (higher risk) – *5 month delay*. Further consultation with broader community members, sporting clubs and local groups of interest on location options would add a minimum of four months to the project timeline. Due to the sensitivity of the theme and careful preparation required, this consultation could launch in February 2025 and could include online engagement, one-on-one stakeholder discussions, a Community Reference Group meeting. In this option, a Council Report seeking endorsement of a location would occur in May 2025. Additional project budget of \$2,500 for collateral would be required.

Reputational risks

- Council follows specific processes for commissioning public art in Darebin that align with industry best practices. These processes, as outlined in Council's Public Art Guidelines, ensure the protection of intellectual and moral rights for artists and creative practitioners, and were utilised in delivery of this project.
- The Arts sector is closely following this project, which represents a substantial commission within the sector right now. Council has signed a contract in good faith with agreed timelines and outcomes. Additional project delays at this late stage due to delayed location decision making or to undertake further community consultation may result in significant reputational risk for Darebin Council.
- Diversion from the agreed timelines and principles of the project contravene national industry standards around commissioning public art and are likely to impact artists' willingness to work with Council on future projects and may impact Council's reputation as leader in the Australian arts community.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

Financial risks related to delays are included above.

Council has allocated \$180,000 in the 2024-25 budget for this project; \$160,000 will be paid to the artist James Nguyen for the design, fabrication and installation of the endorsed artwork. The remaining \$20,000 has been allocated to project management including site investigations.

The artwork is intended to become part of Darebin's permanent Public Art Collection and will be an additional cultural asset that will be maintained and conserved for its intended lifespan through Darebin's Public Art Maintenance annual budget.

Longevity and durability of materials, and maintenance costs were one of the factors considered by the Community Reference Group when assessing the shortlisted artwork proposals.

Community Engagement

Community consultation has been undertaken extensively in the design and development of this project.

A Community Reference Group was recruited through an EOI process that included migrants with lived experience from diverse cultures and backgrounds and two members of the Darebin Art and Heritage Advisory Committee.

The Community Reference Group:

- Collaboratively codesigned of the Artist Brief.
- Oversaw the Artist Expressions of Interest process.
- Undertook artist/concept assessment.
- Developed agreed recommendations on preferred artist and design which were presented to and endorsed by Council in August 2024.

Risks related to additional community consultation and resulting delays are included above.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The principles of sustainability, durability and minimising environmental impact are embedded in the Migration Public Artwork project brief. The shortlisted artists were asked to consider these principles in the development of their artwork concept. Sustainable building materials and artworks with minimal ongoing conservation requirements were looked on favourably by the assessment panel.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Internal consultations were undertaken with the Equity and Diversity team who advised engagement with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) was critical to the planning and delivery of this project if Council was to uphold Council's commitments through the *Statement of Commitment to Traditional Owners and Aboriginal and Torres Strait Islander People (2019)*, Principle 1 of *Towards Equality Framework* and Big Action 4 of the *Council Plan 2021-2025*.

Consultation with the Wurundjeri Corporation has been undertaken, with no concerns raised on the project. Further engagement is planned with this group in mid-December 2024 on the proposed location.

Economic Development and Cultural Considerations

There are numerous economic and cultural outcomes of this project including place-making benefits, social connection, health and wellbeing for community members.

Operational Impacts

This project is being delivered by the Art Collections and Marketing unit in consultation with the following Council teams:

- Equity and Wellbeing.
- City Design.
- Economic Development.
- Parks and Open Spaces.
- Statutory Planning.

Once installed, the ongoing maintenance and care of this work will be the responsibility of the Art Collections and Marketing unit and would be supported as part of this unit's annual public art maintenance schedule.

Legal and Risk Implications

Legal risks have been included in the Discussion section above.

IMPLEMENTATION STRATEGY

Details

- Confirm the final location for the artwork with artist.
- Final consultation with relevant Council teams to ensure all compliance and permit requirements are met.
- Migration Public Artwork created/fabricated.
- Migration Public Artwork and signage installed.
- Migration Public Artwork public celebration and launch.

Communication

A full communications strategy will be developed to support the completion, installation and launch of this public art commission.

Key messages and vision:





- The Migration Public Artwork is a community asset that acknowledges and reflects on Darebin’s migration history.
- This artwork reflects on both the opportunities and the challenges of the migrant experience.
- The artwork concept for this commission has been designed and delivered by an artist with lived experience of migration and has been supported by a community reference group with lived experience of migration.
- This new cultural asset promotes harmony, diversity and interculturalism.

Timeline

Preferred location for Migration Artwork endorsed by Council	December 2024
Creation of Migration sculpture	December 2024–May 2025*
Installation of Migration sculpture	June 2025*
Public launch and celebration of Migration sculpture	June 2025*

* The fabrication, installation and launch timeline outlined above are subject to a location decision being made in December 2024.

Attachments

- Artist Brief - Migration Public Artwork (**Appendix A**) [↓](#) 
- Migration Artwork successful artwork concept (**Appendix B**) [↓](#) 
- James Nguyen_Full Concept Proposal (**Appendix C**) [↓](#) 
- Migration Public Artwork Proposals Assessment Matrix (**Appendix D**) Enclosed under separate cover Confidential - enclosed under separate cover
- Location Options for Migration Public Artwork (**Appendix E**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



City of Darebin

MIGRATION PUBLIC ARTWORK

Project Brief

March 2024

Introduction

Darebin Council has identified an opportunity to acknowledge and reflect our city's rich and diverse migration history through the creation of a permanent new public artwork.

Council is seeking an artist or group of artists to develop a concept for the delivery of a high-quality contemporary artwork in the public realm that meets this aim.

Background

The City of Darebin is a region rich in culture and diversity, with a vibrant and growing multicultural and multifaith community. It is a home to people from over 110 countries and speaking 88 languages.

About one third of our residents were born overseas, and for over half of them, one or both parents were born overseas. Approximately 67% (over 97,000) of Darebin residents identify with a culturally diverse background, and/or ethnic origin or ancestry other than Anglo-Celtic.

- 32% of Darebin residents were born overseas.
- Approximately 67% (over 97,000) of the Darebin population identify with a culturally diverse background, and/or ethnic origin or ancestry other than Anglo-Celtic.
- 33% of Darebin residents speak a language other than English at home.

According to the 2021 Census, Darebin's top 20 ancestries are English, Australian, Italian, Irish, Greek, Scottish, Chinese, German, Indian, Vietnamese, Macedonian, Lebanese, Dutch, Maltese, Filipino, Australian Aboriginal, Croatian, Polish, New Zealand, Nepalese.

The 20 most growing populations are English, Australian, Scottish, Australian Aboriginal, Irish, Italian, German, Dutch, Polish, Filipino, Croatian, Maltese, Tamil, Other Indian subcontinent, Nepalese, Māori, Welsh, Macedonian, French and Somali.

The purpose of commissioning this public artwork in Darebin is to reflect these migration stories, and the many diverse cultures that make Darebin the place it is today. This project aims to create a space for inter-cultural connection and reflection.



Applicants are encouraged to consider themes such as:

- The different waves of migration in Darebin.
- Internal migration both pre- and post-colonisation.
- Stories of why migration to Darebin occurred and occurs, including international events, resource booms, and trade and transport.
- The relationship between Wurundjeri Woi-wurrung owners, other Aboriginal and Torres Strait Islander groups and international migrants to Darebin.

PLEASE NOTE: Applicants are **not expected** to address all of the above themes in this project. These are intended as thinking points only. Applicants are encouraged to respond to the brief in their own way.

Objectives

Objective 1: Make visible Darebin's strong identity and story of migration.

Objective 2: Promote interculturalism.

Objective 3: Encourage community connection and belonging.

Objective 4: Create a point of interest and a place where communities may gather on days of multicultural significance for Darebin's diverse community.

Objective 5: Enhance the resident and visitor experience in the Preston Civic Precinct and High Street connectivity to the Darebin Intercultural Centre.

Commission Scope

This public art commission aims to develop and construct a new cultural asset in Darebin's public realm that commemorates and reflects Darebin's migration story.

The resulting artwork is intended to signify a space for acknowledgement and reflection of the many diverse cultures in our community and the lived experience of migration.

The intended lifespan for this commission is 15+ years. Artforms that will be considered within the scope of this project will include:

- Sculpture
- Installation art

Artforms that will not be considered include:

- Murals
- Integrated landscape or architectural design
- Ephemeral interventions
- Performance art
- Video/projection art



Applicants

Submissions are being sought from Victorian-based artists who have lived experience of migration or a close family migration story. Preference may be given to artists who live, work, study or base their creative practise in Darebin.

Applications from artist partnerships or collectives, or for projects led by an artist which entail community participation are also welcomed.

As part of Darebin Council's commitment to support emerging artists and those with limited experience in public art, we encourage and support applications that entail a mentorship model of delivery.

For artists with limited experience in creating public art, we encourage you to consider applying in partnership with an established public artist mentor, or a public art project manager. Please contact Darebin Council if you would like more information about this option.

Budget

The total budget allocated for this commission is \$160,000.00 ex GST*

The budget must cover all costs associated with the Fabrication and Installation of the commissioned artwork, including artist fees, sub-contractor fees, mentorship or project manager fees (if applicable), accessibility requirements (if applicable), materials, design development, fabricators, transport, installation, signage and all other associate costs for the creation, delivery and installation of the work. Please refer to the [National Association for the Visual Art guidelines](#) on public art fees.

Concept Design

From the applications received, three (3) artists will be shortlisted to develop a concept design. The shortlisted artists will receive \$3,000.00 each for the concept design stage.

Fabrication and Installation

Of the shortlisted artists, one concept design will be selected. Once approved, the selected artist/s will have a total budget of \$160,000.00 to complete the design, fabrication, and installation of the artwork at the site.

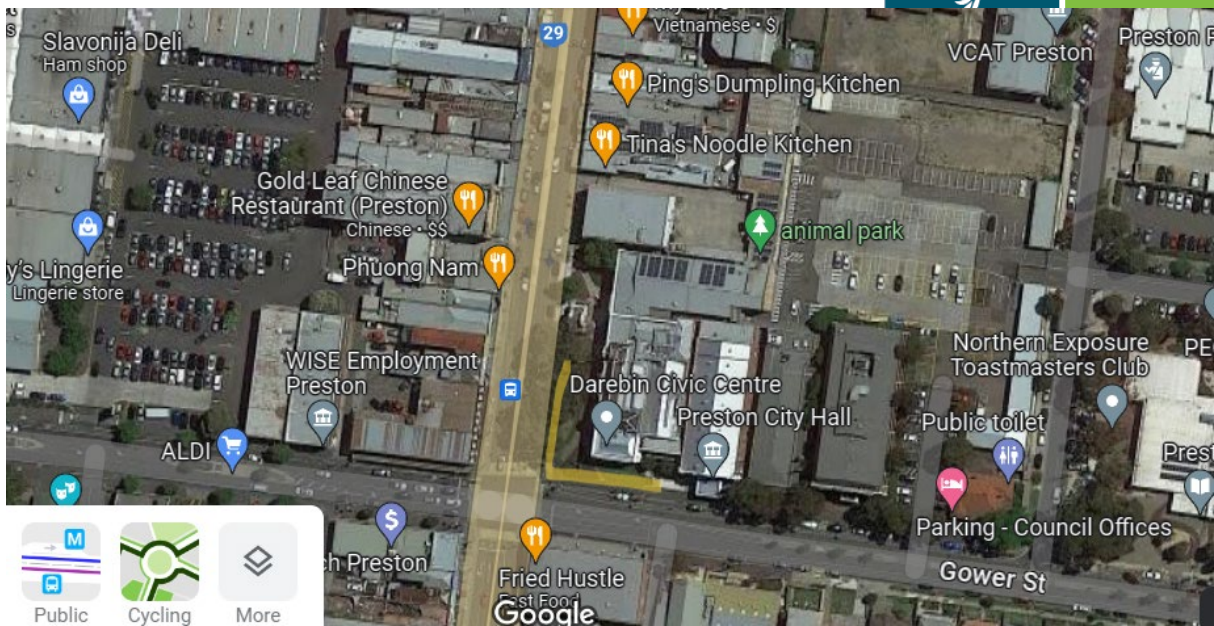
*subject to 2024/2025 Council funding.

Location

The location for the migration public artwork will be on Gower Street, Preston, near the corner of High Street, within the Preston Civic Precinct.

This site has been chosen because of its proximity to Darebin's new Intercultural Centre, to give prominence to Darebin's migration histories and deeply honour the relationship that Wurundjeri Woi-wurrung people have with the land.

The Migration Public Artwork will be located in the heart of Preston as a central and visible expression of Council's commitment to a diverse and equitable community.



Artist concepts should take into consideration the relationship of the proposed artwork to existing artworks and infrastructure in this precinct. Namely, the following installations on High Street:

- Robyne Latham (Yamatji)'s 'Empty Coolamon' 2015, honouring the Stolen Generations



- Michael Snape's 'The Connection' 2007, which refers to the meaningful links between different groups in the community and the connections which contribute to harmony in Darebin.



- The Preston Cenotaph, 1923, which commemorates fallen service people from the First World War.



Site information

Darebin is looking to commission a site-specific sculptural or installation artwork that is connected to the Intercultural Centre (350 High Street Preston) and the Preston Civic Precinct on the corner of Gower and High Streets.

The site is a high traffic area (vehicle and foot traffic) and is near Darebin Council offices, the Darebin Intercultural Centre, Preston Library, Preston Market and numerous well-loved local restaurants and cafes.

Note that should the artwork construction impede on any footpaths or roads, permits will need to be sought. Further site information including lighting parameters, high restrictions and land measurements will be provided to the shortlisted artists.



Materials

Proposed materials must be safe, durable, and weather-resistant and appropriate to the nature of the commission and the site. The work must have a minimum intended life span of 15 years. Cleaning, conservation, and long-term maintenance requirements must be considered within the concept designs. Artists should also consider the long-term environmental sustainability of their artwork.

Duty of Care

Art in the public realm poses unique opportunities and challenges. Public artworks are installed in unsupervised public places and as such the artist must consider Duty of Care in their design, choice of materials and construction. These includes concerns around public safety, ethics, and intellectual property (IP). More detail on these requirements will be provided to the shortlisted artists.



Commission Application Process

1. Open Call | Expressions of interest | 25 MARCH – 26 APRIL 2024

Interested artists are asked to provide a short response to the brief via an online form. Expressions of interest will include:

- A brief statement about your own relationship to/experience with the theme of migration
- A brief statement about how your artistic practice is relevant to this project
- A brief statement about your interest in and experience with public art
- Curriculum Vitae (maximum 2 pages)
- Digital images of previous art projects (maximum 8. Please save as jpegs (max 5mb each) and include image details with project name, year, materials, dimensions, location)

An information session will be held during this period to answer any questions you may have about the application process. If you need support filling out the application form, we encourage you to reach out to Darebin Council for support. Contact details are provided at the bottom of this document.

From the expressions of interest received, the assessment panel will determine **three artists** who will be shortlisted to proceed to the **Concept Design** stage.

2. Shortlisted Artists | Concept Design | 31 MAY – 7 JULY 2024

The shortlisted Artists will enter into a Commissioning Agreement with Darebin Council for the Concept Design stage. The fee for this stage is \$3000.00 per Artist/Artistic Team.

Requirements:

- Research and develop an artistic concept including form, dimensions, colours, and materials.
- Prepare a presentation for their Concept Design.
- Deliver Concept Design Presentation to the Migration Public Artwork Community Reference Group for assessment.
- Confirm relevant public liability insurance.

Concept Design Presentation:

Concept design proposals should include:

- a statement of artistic intent (max 500 words)
- concept drawings of the proposed work or other support material (maquettes or detail drawings)
- a budget outlining fabrication, materials, project management and other associated expenditure. Two quotes from each type of subcontractor requested to adhere to procurement policies.
- details of any third parties or contractors likely to be involved
- an indicative timeline, including design development, fabrication and installation
- an indication of any anticipated maintenance requirements associated with the proposal, including specifications for all materials and mechanisms used within the Public Artwork.

Artists will be given a maximum of 30 minutes to present their Concept Design.

**Concept Design Assessment:**

Selection Criteria for the Concept Design proposals include:

- Connection to/experience of the theme of migration
- Creative engagement with the project themes/subject matter
- Artistic merit
- Ability to develop concepts and communicate ideas aligned to the project brief
- Artist experience and demonstrated capacity to deliver a public artwork of this scale (or appropriate mentorship arrangement for emerging artists)
- Motivation and willingness to work in collaboration with Council

Selection Panel:

The Concept Design phase will be assessed by the Migration Public Artwork Community Reference Group (CRG). The CRG includes community members with lived experience of migration, a member of the Darebin Ethnic Communities Council, a Darebin-based Aboriginal representative, members of the Darebin Art & Heritage Advisory Committee and the Darebin Council Curator.

3. Fabrication and Installation | 1 AUGUST 2024 – 28 FEBRUARY 2025

The successful Artist/Artistic Team will enter into a Commissioning Agreement with the City of Darebin for the Fabrication and Installation of the selected artwork concept design. The payment schedule for this stage will be negotiated with the successful Artist/s prior to entering into the contractual arrangement.

Design Development Requirements:

- Further develop the design to completion
- Engage external technical expertise as required
- Provide engineer's report if required
- Provide endorsed engineer's drawings for any footings if required
- Ensure the use of materials that can achieve the 15+ year design life of the artwork
- Provide a full safety and design analysis including project-specific constraints
- Provide proposed fabrication and installation details for the Commission
- Provide confirmed timeline for fabrication and installation of the work
- Finalise detailed budget, including all fabrication and installation costs
- Present final design and detailed budget to the City of Darebin for approval

Fabrication and Installation Requirements:

- Fabricate the work as per the approved design
- Communicate regularly with the Darebin Curator throughout the fabrication and installation process
- Install the work safely ensuring that the work meets all relevant Australian Standards
- Provide a Maintenance Manual that documents future care and maintenance schedule

Decommissioning

The City of Darebin retains the right to decommission the work after its intended lifespan of 15+ years. In the event that the artwork suffers unforeseen damage to an extent at which repair or restoration is deemed non-viable, City of Darebin retains the right to decommission the artwork at an earlier stage. The artwork will be fully documented for archival purposes prior to decommission.



Confidentiality, Media and Social Media

The Artist/Artistic Team will not make or authorise a public statement or any details relating to the commissioning process in any media, including social media, without prior written approval of City of Darebin.

Timeline

Stages/steps	Date
EOI	
Expressions of Interest Open	25 March 2024
Expressions of Interest Close	4pm, 26 April 2024
Shortlisted artists notified	28 May 2024
Concept Design	
Concept design development	28 May – 7 July 2024
Concept design presentation	10 – 11 July 2024
Successful artist notified	15 July 2024
Fabrication & Installation (subject to Council funding)	
Design development	1 August – 15 September 2024
Final Design Presentation	15 - 30 September 2024
Fabrication	October 2024 - February 2025
Installation	February 2025
Project Launch	February 2025



Relevant Council Plans and Policies

2024 Darebin Community Vision

Strategic Direction 1: Vibrant, Respectful and Connected

Council Plan Goal

2.2 We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving.

2-22 Identify creative opportunities to reflect Darebin's different cultures in the built environment across our city

Policy Alignment

Primary: [Public Art Framework](#)

Secondary: [Towards Equality: Equity, Inclusion and Human Rights Framework 2019-2029](#)

Tertiary: [Memorials Policy](#), [Darebin Statement of Commitment](#), [Breathing Space - The Darebin Open Space Strategy](#).

CONTACT

If you have questions or require support please contact Council's Art & Collections unit.

Leah Crossman
Art & Collections Coordinator
leah.crossman@darebin.vic.gov.au

Sarah Werkmeister
Curator
sarah.werkmeister@darebin.vic.gov.au

Migration Public Artwork | Successful artist and concept

James Nguyen - SAFETYNET

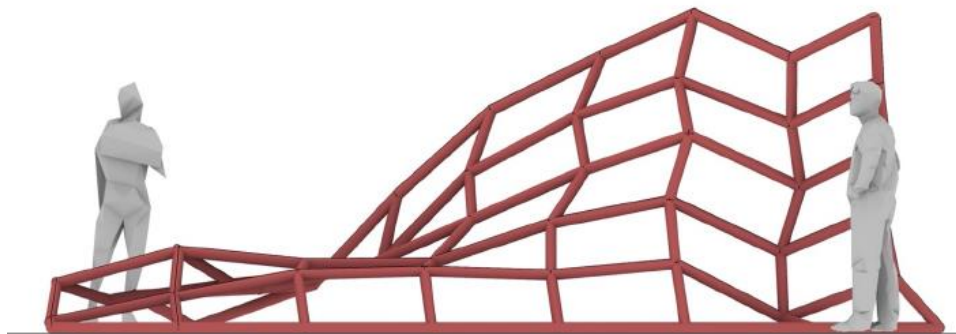
James Nguyen is a Vietnamese migrant who arrived in Australia at the age of eight on a Refugee Family Reunion Visa.

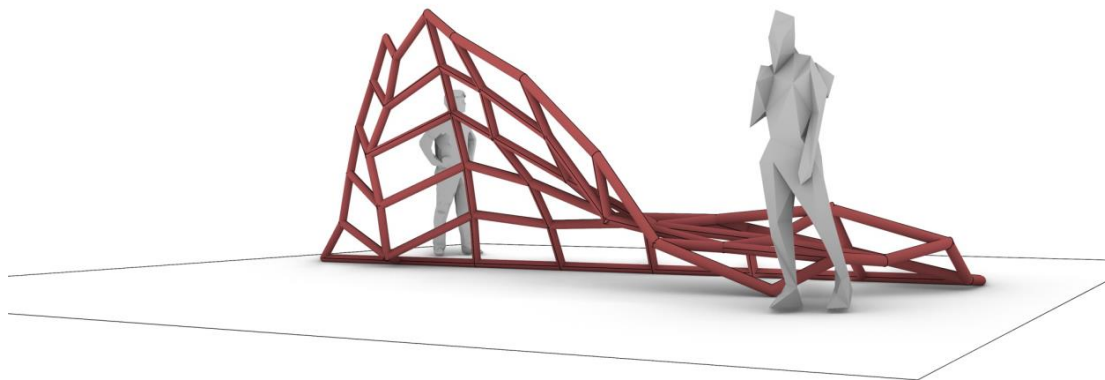
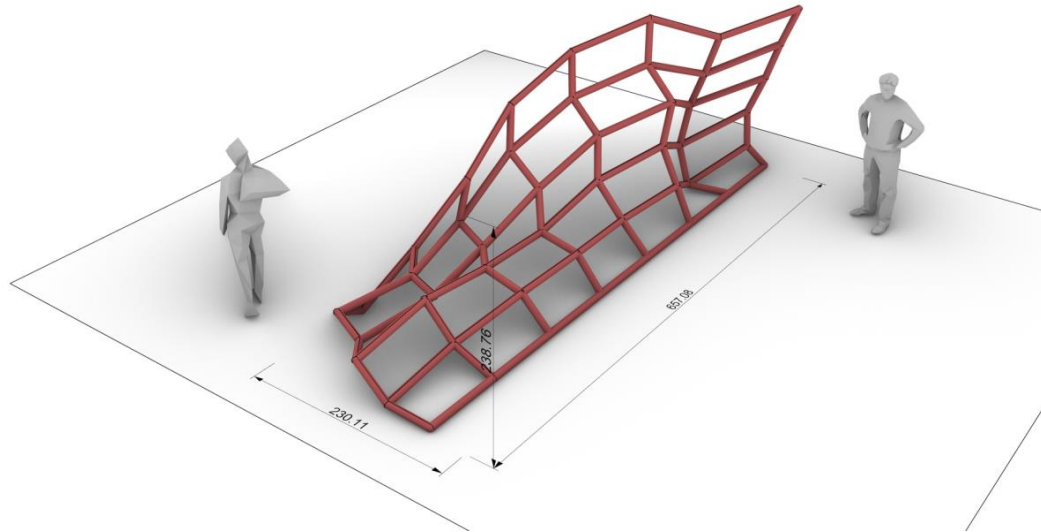
'SAFETYNET' is inspired by the Vietnamese fishing net, a source of livelihood for many Vietnamese people. The title itself refers to the way migrant communities across Australia, including those in Darebin, have evolved to become communities of refuge and support for many newcomers.

Because almost all migrant communities and First Nations/Aboriginal peoples share similarly rich histories and heritages of fishing and aquaculture, and escaping violence in search of safety and security, it is important for **'SAFETYNET'** to be a sculptural abstraction which allows for many diverse interpretations.

'SAFETYNET' truthfully honours the isolation and hardship of migration as much as it recognises the opportunities and connections in the migrant story.

'SAFETYNET' will be made in consultation with Arts Access Victoria. It is a core part of the project to have alternative forms of accessibility including wheelchair access, tactility and low vision elements that are considered and integrated into the work to serves a wider public.





SAFETYNET

PROPOSAL FOR THE CITY OF DAREBIN _ MIGRATION PUBLIC ARTWORK _ BY JAMES NGUYEN

TOTAL BUDGET ALLOCATION: \$AU 160,000.00 (EX GST)

to complete the design, fabrication, and installation of the artwork at the site.

COMMISSION SCOPE IS A PUBLIC ART COMMISSION that aims to develop and construct a new cultural asset in Darebin’s public realm that commemorates and reflects Darebin’s migration story.

The resulting artwork is intended to signify a space for acknowledgement and reflection of the many diverse cultures in our community and the lived experience of migration.

The intended ***lifespan for this commission is 15+ years.***

SELECTION CRITERIA

VALUE	DESCRIPTION
20%	Connection to the theme of migration
20%	Creative engagement with project theme/subject matter
20%	Artistic merit
20%	Artist Experience and Demonstrated Capacity to deliver artwork of this scale (or appropriate mentorship arrangement)
10%	Develop Concepts and Communicate ideas aligned to brief
10%	Motivation and Willingness to work in collaboration with Council

‘SAFETYNET’ _ CONNECTION TO THE THEME OF MIGRATION

When he was eight years old, James Nguyen and his mother arrived in Australia on a Refugee Family Reunion Visa joining his father after seven years of separation.

Internally displaced from North Vietnam to the South by the Vietnamese War of Independence in 1954, then escaping by boat after the Vietnamese American War, Nguyen’s family was eventually resettled in Sydney.

Because both James and his younger brother have now moved to Melbourne, the family joke is that each generation is destined to migrate further and further south.

In 2018, James lived in Preston on Gower Street (directly opposite the Darebin Civic Centre) joining the nationally recognised Gertrude Contemporary Artist Studio Program. He lived here right through Melbourne’s multiple lockdowns.

Migration to James is a journey of global events colliding with the aspirations of everyday people. As people from elsewhere, migrants often encounter forms of hardship, exclusion and discrimination as they simultaneously search for belonging and opportunity.

These lived experiences continue to shape his artistic practice.

'SAFETYNET' _ CREATIVE ENGAGEMENT WITH PROJECT THEME/SUBJECT MATTER

SAFETYNET is a public sculpture that honours migration through three main concepts:

CONNECTION _ FLEXIBILITY _ HONESTY

James Nguyen often engages his family, artistic collaborators and the wider public in challenging conversations about the recognition of ongoing settler-colonialism, lateral racism and homophobia within and around migrant communities.

This proposal is driven by various conceptual and practical interventions to **connect** and bring people together. The work also creates a space to represent the **flexibility** of communities that **honestly** share and listen to each other's stories.

The most recent major project by James Nguyen titled **'Open Glossary'** (at the Australian Centre for Contemporary Art) encapsulates these principal themes.

With a huge 800 shirt installation James Nguyen worked with Budi Sudarto and a community of queer people from non-English speaking backgrounds to install a multi-sensory maze and online multi-lingual glossary to express the richness of queer migrant life in Australia.

The exhibition also incorporated a Māori-Vietnamese Marae with Tamsen Hopkinson for community gathering and conversation sharing. The exhibition closed with a work called 'Lerty's Song' made in collaboration with Taungarung artist Kate ten Buuren to invite young people to talk and write down what it means for them to 'Listen to Country' and 'Be Heard' by the world around them.

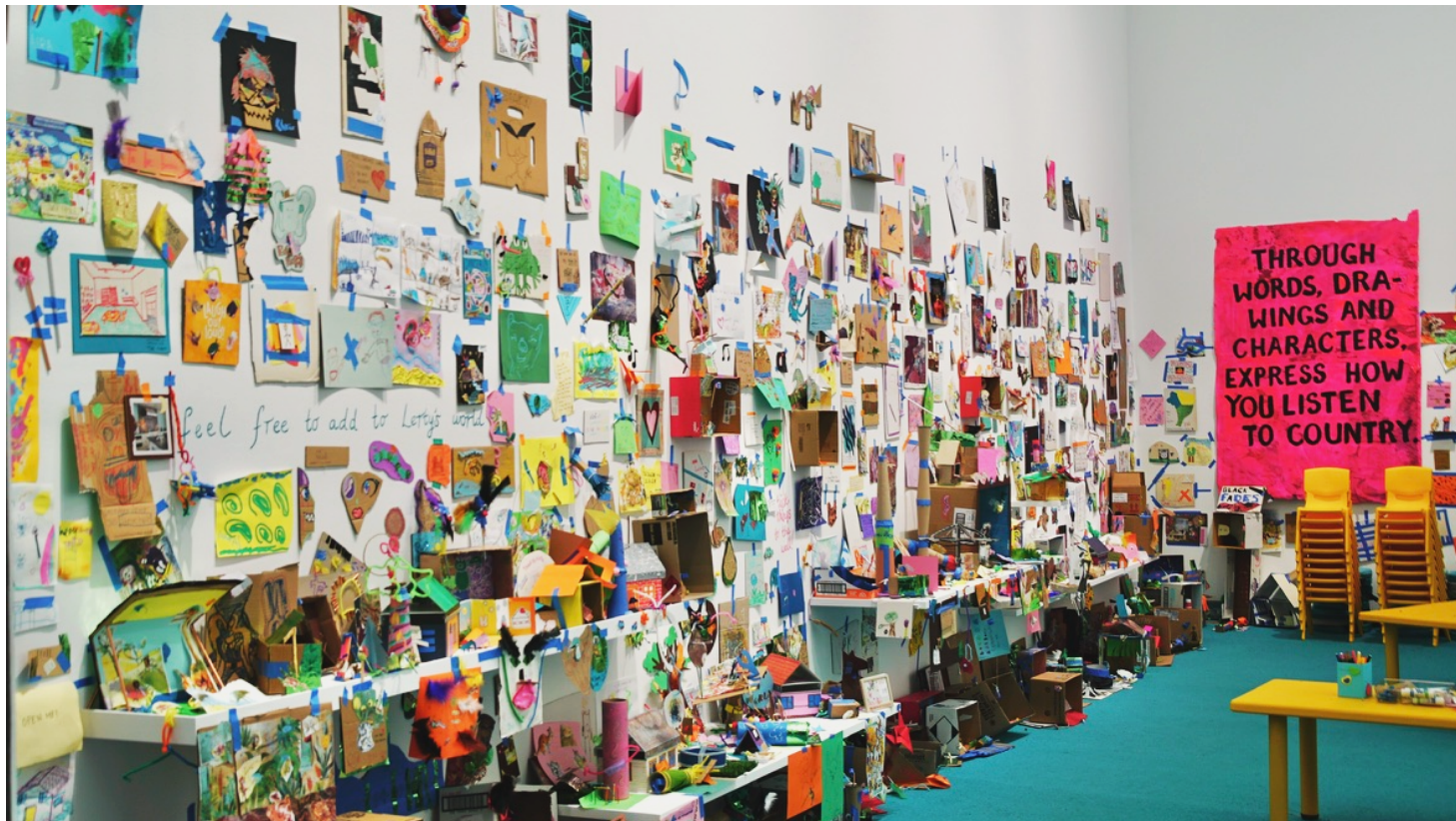
Bringing many diverse groups of people together, James Nguyen demonstrates how he is motivated to work with large organisations (like ACCA) to deliver artworks that connect and build community.



Open Glossary, ACCA, 2023 (installation view).



Open Glossary, ACCA, 2023 (installation view).



Open Glossary, ACCA, 2023 (installation view).

'SAFETYNET' _ ARTISTIC MERIT: CONCEPTUAL THEMES & CONSIDERATIONS



Shutterstock Image of Vietnamese Fisherman at sunset.

'SAFETYNET'

Is inspired by the Vietnamese fishing net, a source of livelihood for many Vietnamese people – the title ***'SAFETYNET'*** itself refers to how migrant communities across Australia, including those in Darebin, have evolved to become communities of refuge and support for many newcomers.

Many Vietnamese people left behind their fishing nets to become 'people smugglers' after the Vietnam American war, ferrying hundreds of thousands like Nguyen's father across the seas in search of safety.

Because almost all migrant communities and First Nations/Aboriginal peoples share similarly rich histories and heritages of fishing and aquaculture, and escaping violence in search of safety and security, it is important for ***'SAFETYNET'*** to be a sculptural abstraction which allows for many diverse interpretations.

On the next page is an image of a sculpture made by James Nguyen and exhibited at Townhall Gallery in 2018. It is an open and abstract grid structure, entirely made of hand-fused 3D-printing coil and is an artistic precursor to ***'SAFETYNET.'***

CONNECTION TO ACCESSIBILITY

'SAFETYNET' will be made in consultation with Arts Access Victoria. It is a core part of the project to have alternative forms of accessibility including wheelchair access, tactility and low vision elements that are considered and integrated into the work to serves a wider public.



Grid, part of an installation for 'Love of Money,' Townhall Gallery, 2018 (Image and artwork courtesy James Nguyen).

HONESTY WHEN REPRESENTING THE MIGRANT EXPERIENCE

It is important to recognise the difficulties faced by many migrants and refugees who continue to search for political and personal safety. Throughout the COVID lockdowns and living directly opposite the Darebin Civic Centre, Nguyen and many other people in the area were just a few blocks away from Medivac refugees being held at the Mantra (Novotel) on Bell Street, Preston. It is essential that **'SAFETYNET'** recognises these ongoing realities with honesty and integrity.

'SAFETYNET' truthfully honours the isolation and hardship of migration as much as it recognises the opportunities and connections in the migrant story.

Some lives can 'fall through the net,' whilst others can be caught up and entangled in it, especially when subject to the whims of Australian politics. Migrants and refugees have not always been welcomed into Australia with open arms.

Conceptually, **'SAFETYNET'** has a vertical portion that alludes to a fence-like barrier, whilst settling to a more horizontal position which also allows the public to sit and occasionally lean on (or into) the sculpture itself.



photograph of Medivac asylum seekers by James Nguyen (this specific work is not for public circulation) but was part of a series shown at Photo 2020, Melbourne Botanic Gardens.

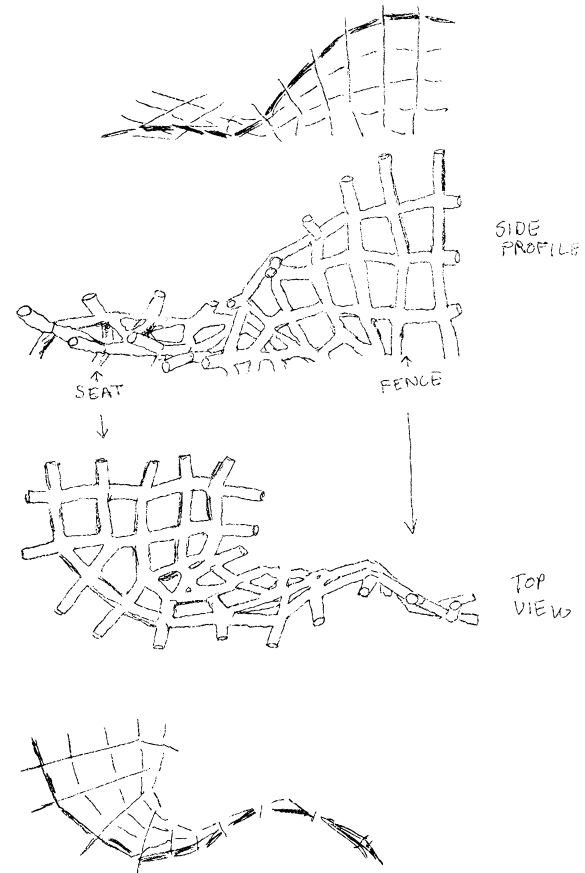
'SAFETYNET' _ VISUALISATIONS

Rough Sketch

Height: 230cm

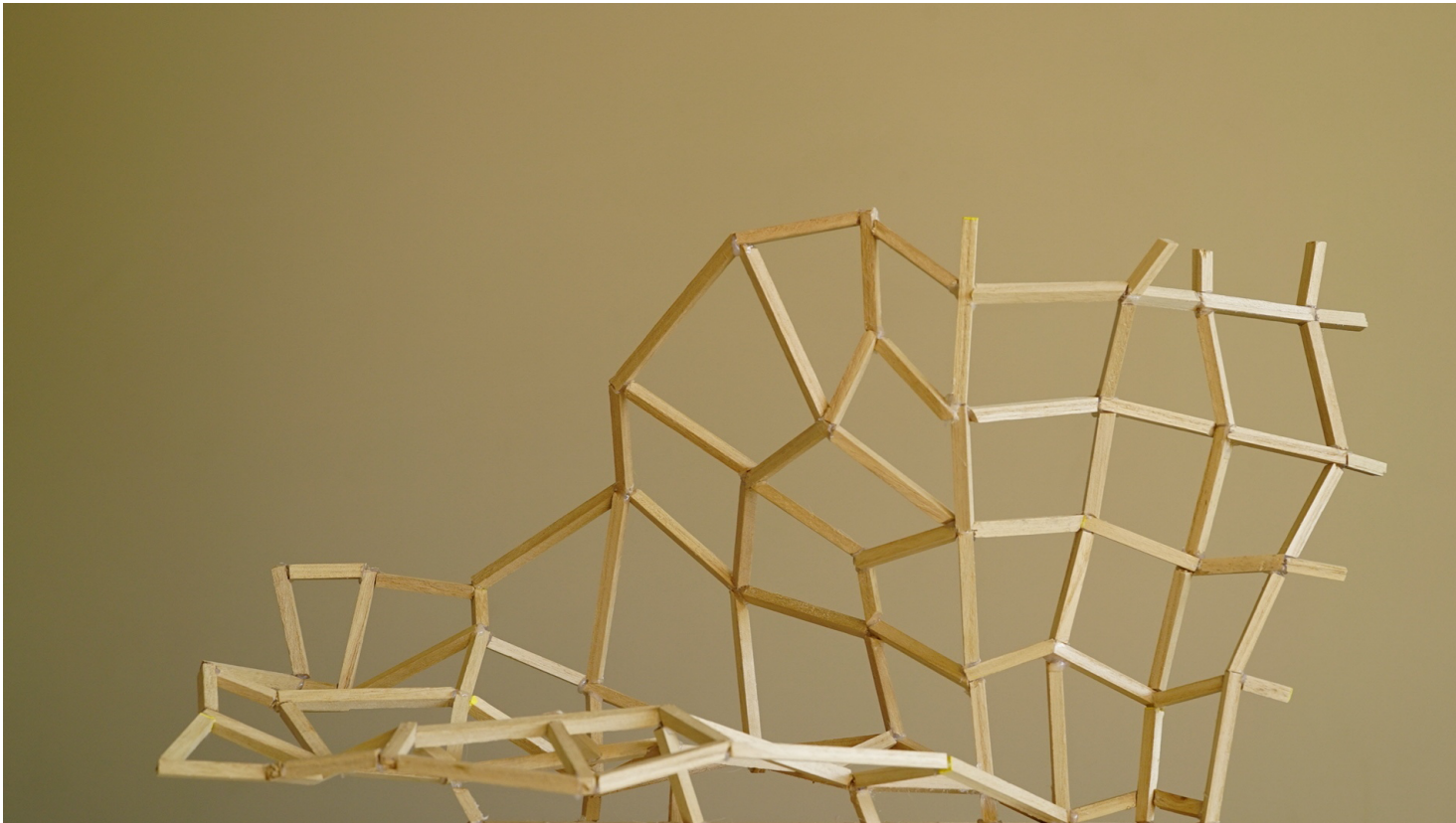
Length: 650cm

Width: 240cm



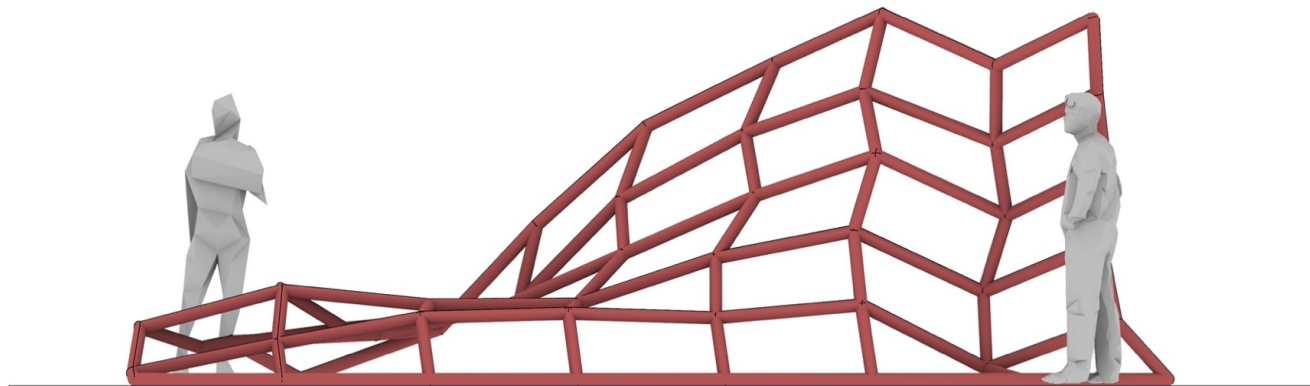
'SAFETYNET' _ VISUALISATIONS

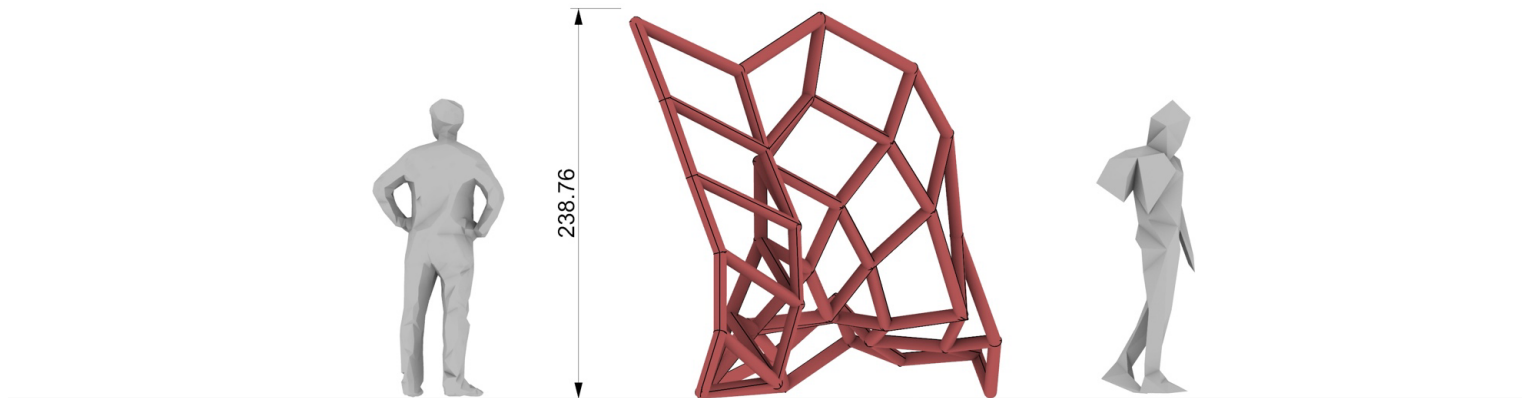
Paulownia Wood Marquette [\(LINK TO VIDEO\)](#)

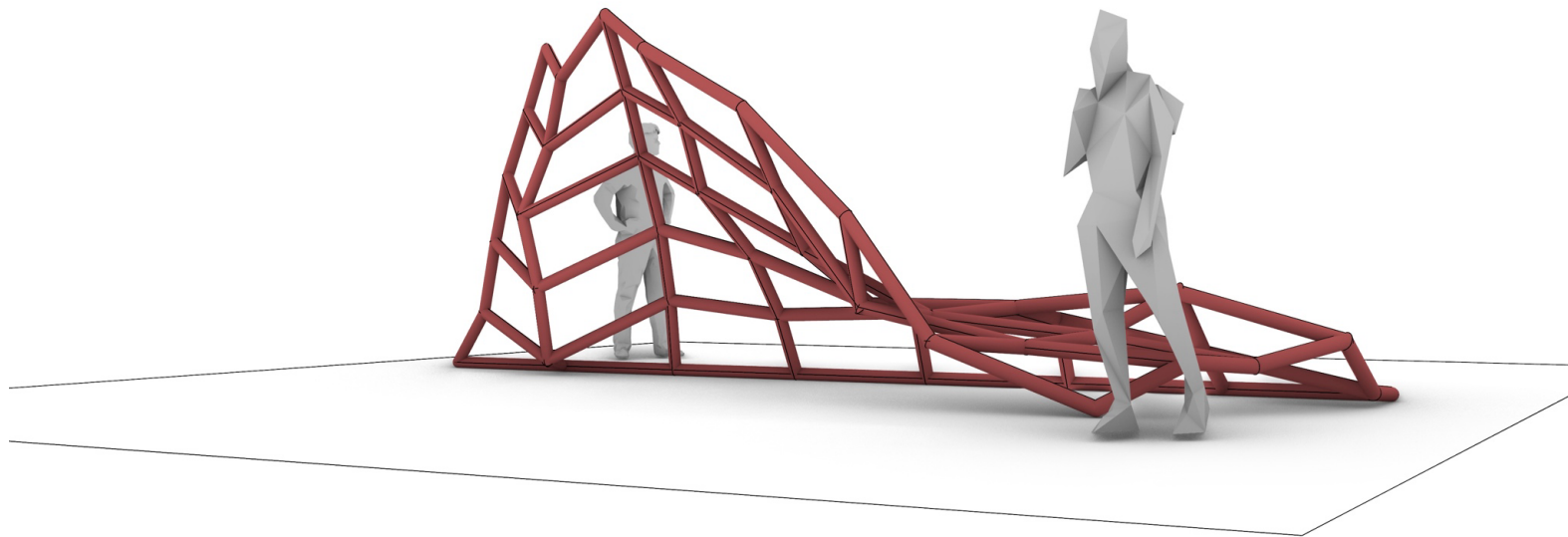


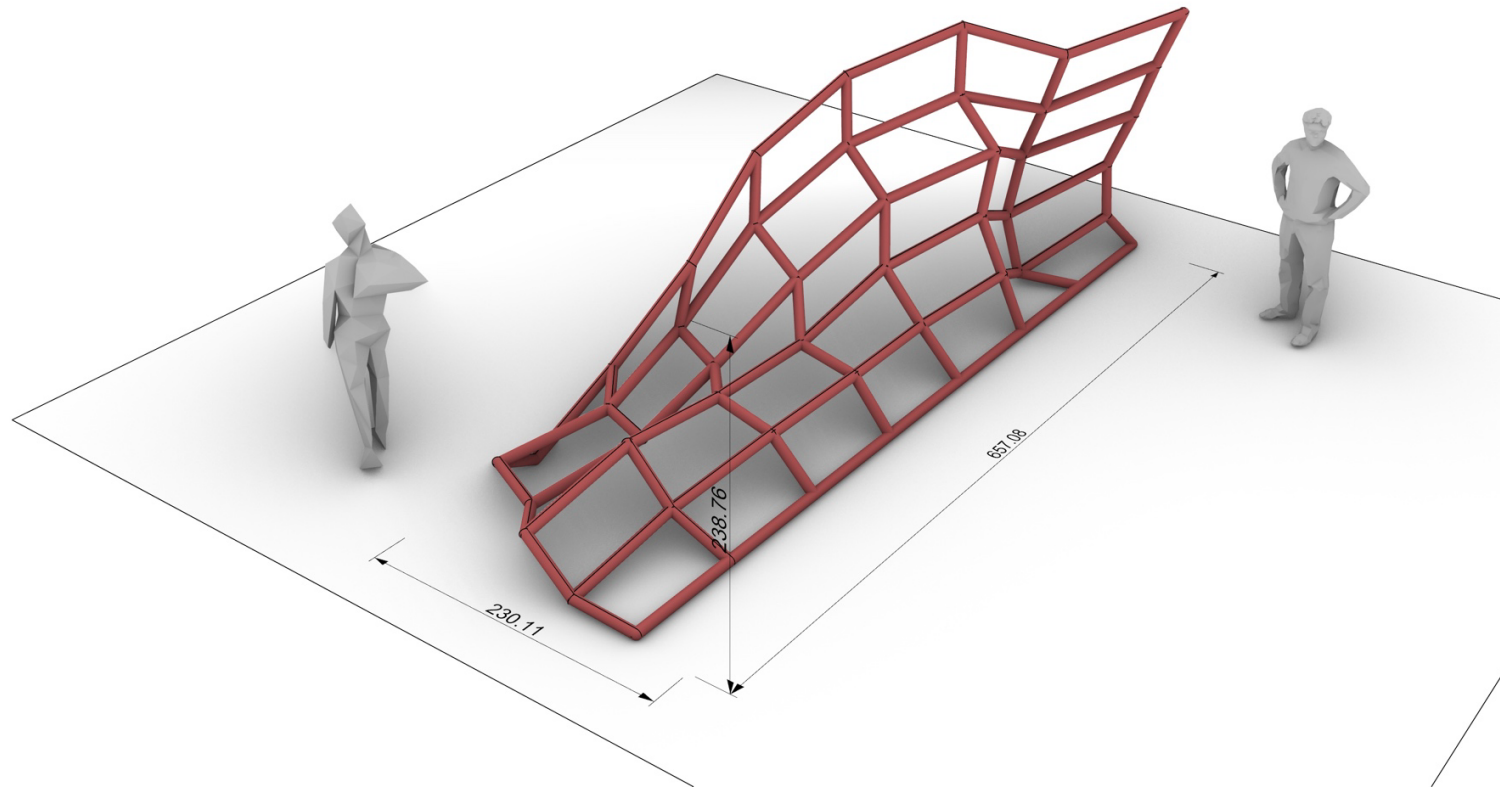
'SAFETYNET' _ VISUALISATIONS

Rhino 3D Drawing (in collaboration with Studio Chris Fox)









ARTIST EXPERIENCE / DEMONSTRATED CAPACITY TO DELIVER ARTWORK

As a practicing artist, James Nguyen has a strong track record of delivering high caliber and complex exhibitions in major galleries and museums. His multimedia background has seen projects presented at the Sydney Opera House, the Australian Centre for Contemporary Art (ACCA), the Museum of Contemporary Art Australia, Guangzhou Academy of Fine Arts, ISA Gallery Jakarta, the National Gallery of Victoria (as part of Melbourne Now), Arts House Melbourne and Campbelltown Arts Centre.

This would be Nguyen's first major public art commission and is something he is currently pursuing professionally. This is an opportunity to work closely with an internationally renowned mentor/collaborating partner, to hone the skills to deliver major public artworks.

For **'SAFETYNET,'** James Nguyen will be collaborating with **STUDIO CHRIS FOX** (ABN: 12 166 371 848).

Studio Chris Fox has delivered award-winning and culturally significant major public works and infrastructure projects including ['Interloop'](#) – an environmentally sensitive accordion shaped sculpture that repurposed heritage timber infrastructure at Wynyard Station, and the ['Rozelle Interchange'](#) – part of a major habitat and artistic intervention for Sydney's new underground tunnel interchange. Studio Chris Fox has also delivered smaller public art of scale including ['Wanna Dance'](#) and ['Immerge'](#) to reflect the creative life of dynamic cityscapes and urban spaces.

The expertise and artistic drive of this collaboration is positioned to successfully deliver a world class artwork that is both aesthetically and conceptually compelling to honour the rich migrant experience of the City of Darebin.

A core mission of this collaboration is to work closely with Darebin City Council and follow best-practice environmental and sustainability standards to bring **'SAFETYNET'** to completion, and ensure the work is durable and artistically resilient.

INDICATIVE BUDGET _ JULY 2024 (GUIDE ONLY)

ITEM	NOMINATION	DESCRIPTION	COST
Artist Fee	James Nguyen (20%)	Artist Fee for 'SAFETYNET'	32,000
Stakeholder Engagement and Coordination	James Nguyen, Arts Access Victoria	LGA / FN / community / Accessibility Consultation	3,000
Project Collaborator/mentor	Studio Chris Fox	Design development, Construction Drawings, Fabrication + Project Advisory, Professional Support	15,000
Legal, Public Liability, PI	James Nguyen	Cover legal aspects to bring project to public	2,000
Engineering, Site + Environmental Sustainability	Bollinger+Grohmann (TBC) <i>Tilt (TBC)</i>	https://www.bollinger-grohmann.com/	3,500
Project Management	<i>Tilt (TBC)</i>	https://tilt-industrialdesign.com/projects/	15,000
Fabrication, including accessibility Features	<i>Tilt (TBC)</i>		75,000
Installation Costs	<i>Tilt (TBC)</i>		10,000
Freight	<i>Tilt (TBC)</i>		2,000
Lighting	<i>Tilt (TBC)</i>	<i>(based on all services ready and supplied to sculpture location)</i>	2,500
TOTAL COST			\$AU160,000.00
Contingency			(16,000)

INDICATIVE TIMELINE / STAGES OF PROJECT**RESOLVED CONCEPT DESIGN/CONTRACT SIGNING (6 weeks)**

- site visits
- stakeholder engagement
- resolved concept design (confirm costings)
- contract signing pending fixed costs from concept design

DETAILED DESIGN / CONSTRUCTION DOCUMENTATION (6 weeks)

- technical drawings/lighting/engineering & design completed with Arts Access Victoria consultation

APPROVALS TBC (2 weeks)**FABRICATION (8-12 weeks)****INSTALLATION (2-4 weeks)**

CV OF PROJECT TEAM

JAMES NGUYEN

email: james@jamesnguyen.com.au
 website: <https://www.jamesnguyens.com/>

Born 1982, Bao Loc, Vietnam, currently based in Melbourne (Naarm), Australia.

- 2021 *PhD (Deans Award) UNSW Art & Design, Sydney*
 2016 *UnionDocs Collaborative Fellow, UnionDocs (Centre For Experimental Documentary Arts), New York*
 2015 *Masters of Fine Arts, Sydney College of Arts*
 2012 *Bachelor of Fine Art (Honours, First Class), National Art School, Sydney*
 2004 *Bachelor of Pharmacy, Charles Sturt University, Wagga Wagga*

SOLO EXHIBITIONS

- 2024 *New Collections, artist in focus in collaboration with Nguyen Thi Kim Dung, curated by Pedro de Almeida, Museum of Contemporary Art Australia*
 2023 *Open Glossary, in collaboration with Tamsen Hopkinson, Budi Sudarto, Kate ten Buuren, and Chris Xu, curated by Shelley McSpadden, Copyright Agency and the Australian Centre for Contemporary Art, ACCA, Melbourne.*
 2022 *RE:TUNING, in collaboration with Victoria Pham, Antidote Festival, the Sydney Opera House*
 2021 *Before NIGHTFALL #15, in collaboration with Amias Hanley, SPEAK Percussion, Gertrude Contemporary, Melbourne*
 2021 *RE:SOUNDING, in collaboration with Victoria Pham and curated by Gillian Brown, SAMSTAG Museum, Adelaide*
 2019 *Hell is Other People, in collaboration with Ciaran Begley, Gertrude Glasshouse, Melbourne*
 2019 *Homesickness, Vietnam War Commission and The Australia War Memorial, Canberra*
 2018 *Sentient: Murray River, Murry Art Museum Albury*
 2018 *On The Border of Things (Part 1); PACT, Erskineville*
 2016 *New Solutions, Enduring Problems: MOP, Sydney*
 2016 *BuffaloDeer: Westspace, Melbourne*
 2015 *EXIT Strategies, 4A Centre for Contemporary Asian Art, Sydney*
 2015 *Tripart Series, The Immigration Museum of Victoria, Melbourne*
 2014 *Craneshot, Melbourne Projection Space, Melbourne*
 2014 *LIFTERS//LEANERS: Firstdraft Gallery, Sydney*
 2014 *The Man With the Movie Camera: FELTspace, Adelaide*

SELECTED GROUP EXHIBITIONS

- 2024 *THEM, curated by Miranti Savitri, ISA Art gallery Jakarta, Indonesia*
Language Exchange, Fairfield City Museum and Gallery, Sydney
Sonic Travellers: Bus Projects, Melbourne
 2023 *Melbourne Now, NGV x Recess moving image program, the Ian Potter Centre: NGV Australia, Federation Square*
If the World is to Mean Anything, with Victoria Pham and Andy Butler, New Theatre Institute of Latvia
Threshold, curated by Victoria Pham and Lamorna Nightingale, Waterloo
The Great Granville Garden Show, curated by Tahla Smith
The Unseen, Blacktown Arts Centre and Parramatta Artists Studio
Minh, curated by Sheila Pham, Fairfield City Museum and Art Gallery
Now You're Speaking My Language, curated by Kate ten Buuren, NOWNESS ASIA and IMA Brisbane
Treatment III, curated by Public Art Commission David Cross and Cameron Bishop, Altona
 2022 *Vitalistatistik, Adhocracy Adelaide*
Collective Unease, curated by Jacqueline Doughty, Ian Potter Centre, University of Melbourne
A Park is Not A Forest, curated by Salote Tawale, SCA Gallery
Peripheral Visions, curated by Tania Doropoulos and Lewis Dalton Gilbert, Anna Schwartz Gallery, Melbourne
Who's Afraid of Public Space, ACCA, Melbourne
 2021 *Garden Variety, curated by Isobel Parker Philip, for PHOTO 2021, Royal Botanic Gardens of Victoria*
Fabio Arts, collaboration with Danica Hodder, Online presentation, London, Sydney, Melbourne
RE:SOUNDING, in collaboration with Victoria Pham, SAMSTAG Museum, Adelaide
CONNECT, curated by Tamsen Hopkinson, Footscray Community Arts centre
The Work of Art, curated by Sabrina Baker and Anna Loughhead, Artbank, Melbourne
Parade for the Moon, artist with Skate Odyssey, Footscray Primary for Jason Phu and RISING Festival, Melbourne
 2020 *RE:SOUNDING, in collaboration with Victoria Pham, BLEED Festival 2020*
Lazy Susan Ikebana, for Dream Sequence, Urban Theatre Projects
Porninoo, Westspace Offsite Projects
 2019 *Remedy for the Dokdrums, in collaboration with Ciaran Begley, curated by Siobhan Sloper, Gertrude Glasshouse, Melp*
The National 2019, MCA, Sydney
Those Monuments Don't Know Us, Bundoora Homestead, Melbourne
Brused: Art Action and Ecology in Asia, EMIT Gallery, Melbourne
For Love or Money, Townhall Gallery, Melbourne
Nine Meals From Chaos, Bankstown Arts Centre, Sydney
The End/Future History, The Substation, Melbourne.
 2018 *Plenty, ACE Open, Adelaide*
Tracing The Archipelago, Kudos Gallery, Sydney
On the Border of Things (Part 2), Next Wave, Melbourne In Between Suns, Cement Fondue, Sydney
John Fries Award Finalist 2018, UNSW Galleries, Sydney
 2017 *Grounded, National Art School Gallery, Sydney Moving Nations, Collab Gallery, Sydney*
Looking At You Through Me, Campbelltown Arts Centre, Sydney Of All Others, Firstdraft Gallery, Sydney
UNSW Refugee Symposium, Sydney
 2016 *ARNSW Emerging Artists 2016, Artspace, Sydney*
John Fries Award Finalists 2016, UNSW Galleries, Sydney
New Contemporaries 2016, SCA Galleries, Sydney

RESIDENCIES & AWARDS

- 2024 *Arts Projects for Individuals and Groups, 'Sonic Travellers', Creative Australia*
 2023 *DESA Residency, Gertrude Contemporary x DESA, Bali Indonesia.*
 2022 *Arts Projects for Individuals and Groups, 'Nguyen' Collection of Anglo-Australian Arts (NCAAA), Creative Australia*
 2021 *Winner of the AAMNZ Research in Focus Prize, Taylor & Francis*
ABC Top 5 (researchers for the Arts)
Winner of the Nilumbik Biannual Art Prize for Contemporary Art, Victoria
 2020 *Arts Projects for Individuals and Groups, 'Re-Sounding' with Victoria Pham, Creative Australia (Australia Council for the Arts)*
Sydney Festival, Other Sights Vancouver/Sydney residency 'The Future is Floating.'
KYTA online residency, funded by Creative Australia (Australia Council for the Arts)
Western Sydney Parklands Accelerator
 2019-24 *Westspace Artist Board Member*
A Farm Residency, supported by San Art & the Australian War Memorial
Australia-Austria: A New Terra Nullius, Workshop with Marina Grzicic, Studio for Conceptual Art (Post-conceptual Art Practices), Kunsthalle, Vienna
 2018-21 *Gertrude Contemporary Artist Studio*
 2018 *Arts Project Funding, 'Sentient Murray', with Abigail Moncreiff, funded by Creative Australia (Australia Council for the Arts)*
ARNSW, 'Sentient Murray', with Abigail Moncreiff
 2017 *Maddock's Art Prize, Australia Council for the Arts*
 2016-18 *PACT Centre for Emerging Artists, Three Year Residency*
 2015 *Anne & Gordon Samstag International Visual Arts Scholarship*
 2014 *4A Centre for Contemporary Asian Art & Shen Shaomin Beijing Studio Residency, Beijing*

TEACHING:

- 2022-23 *Undergraduate Studio Practice, Monash University*
 2021-22 *Drawing, University of Melbourne (VCA)*
 2018-21 *Sculpture, University of Melbourne (VCA)*
 2016-18 *Experimental Drawing, National Art School*
 2016-18 *'Art and the Body', 'Ethnography and the Moving Image', UNSW*

BOARD ROLES:

- 2021-24 *West Space, (Board member representative for the Artist Selection Committee)*
 2018-21 *Gertrude Contemporary, (Board member, artist representative)*
 2020 *Kings ARI, (Board member)*

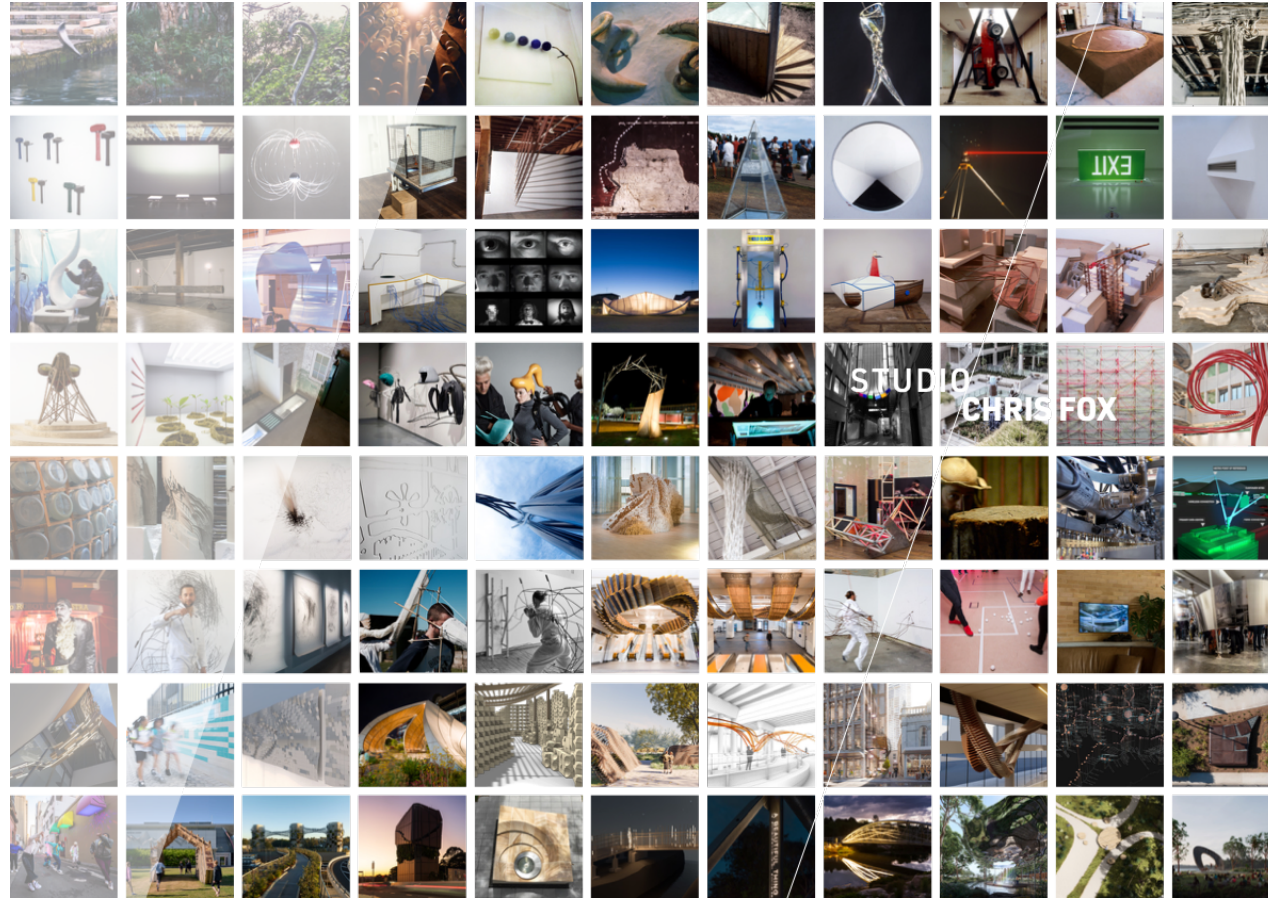
SELECTED PUBLICATIONS

- Book Publication:
 Nguyen, James. *Làm Chó Bò, Making Trouble*. Naarm/Melbourne: Discipline, 2023.
 Nguyen, James. *Open Glossary*. Naarm/Melbourne: Australian Centre for Contemporary Art, 2023
- Book Chapter:
 Nguyen, James and Victoria Pham. "A Diasporic Object." in *The Australian Object: Unruly Material Histories*, edited by Mark De Vitis and Priya Vaughan, Sydney/London: Bloomsbury, 2024. (upcoming)
 Nguyen, James. "East Hills Migrant Hostel." in *Forms of Migration: Global Perspectives on Im/Migration Art and Literature*, edited by Stefan Maneval and Jennifer A. Reimer, 28-39. Berlin: Falschrum, 2022.
- Academic Paper:
 Nguyen, James. "Dispersed Subjects." *Australian and New Zealand Journal of Art* 23, no.1 (2023): 23-42.
 Nguyen, James. "An Australian (Diasporic) Ceramic." *Journal of Australian Ceramics* 6, no.2 (July 2023): 20-27.
 Nguyen, James. "Translating Diaspora in the Settler-Colony." *Anthesis Journal* 31, no.1 (2021):58-65.
- Academic Press:
 Nguyen, James. "Across Southeast Asia, people paying respect to Spirits living on their Land is a normal part of life." *The Conversation*, June 12, 2024. <https://theconversation.com/across-southeast-asia-people-paying-respect-to-spirits-living-on-their-land-is-a-normal-part-of-life-228513>
 Nguyen, James and Victoria Pham. "How we're using the Vietnamese Ethnic savings scheme 'Hũ' to buy back our Cultural Heritage." *The Conversation*, July 6, 2023. <https://theconversation.com/how-were-using-the-vietnamese-ethnic-savings-scheme-hu-to-buy-back-our-cultural-heritage-204802>

CONFERENCES:

- Keynote Speaker:
Womirjeka Djembana Indigenous Research Lab Conference, Monash University, Melbourne, 2022.
ANAA, Studying Asian Art in Australia, ANU, Canberra, 2022.
- Sole Presenter:
Re-Sounding: Reclaiming Diasporic Knowledge, AMAGA National Conference, Perth Convention Centre, 2022.
- Co-Presenter:
Re-Sounding Cultures, Annual Interdisciplinary Forum (CARE), with Victoria Pham, Ian Potter, University of Melbourne, 2022.
Decolonial Everywhere Study & Planning Group, Performance Studies International #23 conference, Hamburg, 2017.
- Panel Discussion:
Stories of Migration, Bordering and Memory-Making, Forms of Migration: An International Conference on Transnationalism and Aesthetics. The American Studies Department, Graz University, 2019.
Next Generation: Future Models of Australian-China Artistic Exchange, 2nd FASIC Australian Studies in China Conference, 2014.

STUDIO CHRIS FOX



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STUDIO CHRIS FOX

We initiate, design and deliver landmark artwork interventions of wonderment and beauty. We work in collaboration with project leaders and teams to enrich urban strategy and transform the built environment.

Studio Chris Fox was founded by artist Chris Fox with the aim of transforming places with sculptural form. Projects push the boundaries of what seems physically possible, whilst telling meaningful stories of place and people through time.

TRANSFORMING PLACES
 We create innovative, bespoke design to transform the built environment for the better.

DEEP CONNECTIONS
 We build meaningful relationships between people, landscapes and stories of the past, present and future.

CULTURAL WELLBEING
 We enhance place identity and improve cultural value through art and creative thinking.

PROCESS

CULTURAL COLLABORATION
 We have extensive experience in stakeholder management and thrive working with a diverse range of creative practitioners, knowledge holders and project leaders.

SITE UNDERSTANDING
 Every project starts with hearing stories and walking the site, through to geological, historical and cultural analysis.

COMPUTATIONAL WORKFLOW
 Our innovative process ensures a fluidity between technical design and artistic thinking.

MATERIAL ENGAGEMENT
 Our projects integrate material-led research and development, using reclaimed and heritage materials.

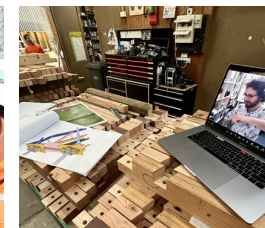
SERVICES

The Studio has a rich skill set that includes strategic art-thinking and computational processes that impacts urban design, architecture, landscape and place making.

- DESIGN + DELIVERY**
- Concept design
 - Design development
 - Shop drawings
 - Engineering
 - Fabrication
 - Project and cost management

- STRATEGIC ART THINKING**
- Research
 - Narrative development
 - Diverse stakeholder engagement
 - Cultural masterplanning
 - Identification of public art opportunities

- TECHNICAL ART CONSULTANCY**
- Infrastructure bid early involvement
 - Urban design, public art & placemaking advisory
 - Challenging a team to think outside the box



1
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3 TEAM
4



CHRIS FOX
Artist + Founding Director

- Master of Fine Arts, Sydney College of the Arts, University of Sydney
- Bachelor of Architecture, Hons. (M. Arch. equivalent), University Technology Sydney
- Bachelor of Arts in Architecture, University of Technology Sydney
- Bachelor of Visual Arts, Hons. Sydney College of the Arts, University of Sydney

Chris Fox is an artist and academic with 30 years experience in the built environment navigating the complex constraints of the public domain. He is passionate about transforming our cities, towns and landscapes through artful thinking and collaboration.

In addition to his Studio practice, Chris is a Senior Lecturer in Art Processes and Architecture at The University of Sydney, teaching architectural students exploratory processes to enable deeper connection to place.

He has been the recipient of many awards, grants and residencies including the 2018 National Trust Heritage Award for the Most Outstanding Project of the Year.



TINA SALAMA, DR
Director

- Doctor of Medicine, University of Notre Dame Australia
- Masters in Fine Arts, National Art School
- Bachelor of Architecture, Hons. (M. Arch. equivalent) University of New South Wales
- Bachelor of Arts, Philosophy Major, University of New South Wales

Tina Salama is a medical doctor specialising in the field of psychiatry. She is also co-director of Studio Chris Fox, with a background training in Architecture and a Master's in Fine Arts.

Tina is passionate about the impact of the built environment on human health. In particular, the ways in which art and place making contribute to urban identity and cultivate connections between individuals, communities and environments; weaving narratives of our unique and collective past, present and futures.



TOMMASO PAGANI
Computational Designer + Project Lead

- Master of Architecture, Politecnico di Milano
- Bachelor of Architecture, Politecnico di Milano

Tommaso studied Architecture at Politecnico di Milano, where he completed the Bachelor and Master degree. During the master thesis he started to develop his passion and knowledge about computational design and digital fabrication.

At Studio Chris Fox, Tommaso leads project delivery, from concept through to completion. He delivered the Rozelle Interchange project and worked on the Interchange Pavilion, especially on the timber fabrication process. He likes beautiful design and he is interested in how new technologies and materials can improve architecture and our life in the future.



SARAH ANSTEE
Computational Designer + BID Coordinator

- Master of Architecture, University of Sydney School of Architecture, Design and Planning
- Bachelor of Design in Architecture, Hons. University of Sydney School of Architecture, Design and Planning

Sarah studied at the University of Sydney graduating with an architectural Honours and Masters degree maintaining a deep interest in art. They've been motivated towards interdisciplinary explorations of art and design through various mediums. Sarah's skills include multi-scalar spatial sensibilities, technical design, planning & documentation.

In thinking about environments, artistic and spatial potential, Sarah is highly motivated by artistic processes, innovative design and creating space for diverse interests.



KYLEE STEVENS
Studio Manager

- Certificate Level 1, Institute of Executive Coaching and Leadership
- Certificate Levels 1-8, Business Coaching Systems
- Grad. Certificate Business Management University of Technology, Sydney
- Diploma Arts / Fashion, TAFE Queensland

Kylee has lead some of Australia's most successful creative organisations and brings over 13 years of creative business management to Studio Chris Fox. With a career spanning more than 3 decades of creative practice, Kylee has worked as a Strategic Consultant, General Manager and Business Coach, leading creative organisations in strategic planning, business operations, stakeholder and employee engagement.

Kylee's role at Studio Chris Fox is to lead practice wide operations and support all stakeholders in project management, strategic and financial deliverables.

LOCATION OPTIONS FOR MIGRATION PUBLIC ARTWORK

1. GE ROBINSON PARK, HIGH STREET, RESERVOIR (#1 RECOMMENDED) [Map Location](#)

Pros:

- Prominent location on main road, highly visible for pedestrians, families, park users and passing traffic
- Short walk from Regent & Reservoir Railway Stations. Bus stop directly in front.
- Soft-fall landing (grass) and ample space to move safely around the artwork
- Idyllic park-location to spend time with this artwork or to congregate
- Diverse area of Darebin. A broad range of community members frequent this area.
- Only 2 existing public artworks in Reservoir. Lowest distribution in municipality.
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.



2. PRESTON CITY OVAL, CRAMER ST, PRESTON (#2 RECOMMENDED) [Map Location](#)

Pros:

- Prominent location in the heart of Preston
- Close to public transport (tram and train)
- Connection to migrant communities who visit and work at Preston Market
- View from train station and Preston Market carpark
- Diverse area of Darebin. A broad range of community members frequent this area including Darebin City Brass
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.

Cons:

- Proximity to LXP commissioned public artwork at Preston Train station



3. **BUNDOORA HOMESTEAD ART CENTRE GARDENS, 7 PROSPECT HILL DRIVE, BUNDOORA (#3 RECOMMENDED) [Map Location](#)**

Pros:

- The home of Darebin Council's Art Gallery (Bundoora Homestead Art Centre)
- Popular spot for local cyclists, dog walkers and community visiting the art gallery
- Developing community rich with diversity, high population of migrants
- Diverse audience who visits Bundoora Homestead, approximately 14,000 per year
- Soft-fall landing (grass) & ample space to move safely around the artwork
- Strong connection the purpose of Bundoora Homestead as a hub for creativity and connection
- Idyllic park-location to spend time with this artwork or to congregate
- Only 2 existing public artworks in Bundoora. Lowest distribution in municipality.

Cons:

- Not located on a main road
- Limited public transport, tram stop 10 min walk.



4. **IW DOLE RESERVE, DOLE AVENUE, RESERVOIR (#4 RECOMMENDED) [Map Location](#)**

Pros:

- Popular spot for locals
- Adjacent to Keon Park Children's Hub
- A developing local community rich with diversity
- Soft-fall landing (grass) & ample space to move safely around the artwork
- Idyllic park-location to spend time with this artwork or to congregate

- Only 2 existing public artworks in Reservoir. Lowest distribution in municipality.
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.

Cons:

- May have audience limitations due to the venue's narrow scope as a site for families with young children. May not attract the attention of people outside this category.
- Limited public transport, bus stops 4 min walk.



5. PRESTON CIVIC PRECINCT, CORNER GOWER & HIGH STREETS, PRESTON [Map](#)
[Location](#)

Pros:

- Highly prominent location in the heart of Preston
- Close to public transport (tram and train)
- Diverse area of Darebin. A broad range of community members frequent this area.

Cons:

- Close to busy intersection and main road. Kerb proximity poses a safety risk.
- Hard landing surface beside artwork.
- Not enough room for community to congregate/spend time with artwork in this location
- Three existing public artworks/monuments in very close proximity that will detract from the impact of this new artwork.
- Placement of an artwork that celebrates migration alongside the Stolen Generation Marker (*Empty Coolamon* by Robyne Latham) may be perceived as offensive.
- Placement of the Migration artwork beside another public artwork (*The Connection* by Michael Snape) that already talks to themes of diversity and harmony would make the artwork superfluous in this location.



6. RESERVOIR LIBRARY / RESERVOIR COMMUNITY & LEARNING CENTRE, EDWARDES STREET, RESERVOIR [Map](#)
[Location](#)

Pros:

- Highly prominent location
- Close to public transport (tram and train)
- Diverse area of Darebin. A broad range of community members frequent this area.
- Only 2 existing public artworks in Reservoir. Lowest distribution in municipality.

Cons:

- Close to busy main road.
- Limited space to move around the artwork due to proximity to buildings and road. Artwork could obstruct pedestrian flow and access for mobility device users
- Hard landing surface beside artwork, and close to moving traffic.
- Would require the movement of existing street seating to create adequate space – likely additional costs including traffic management, removal works etc
- Likely to result in delayed timeline for this project due to requirement to remove existing seating infrastructure



7. EDWARDES LAKE PARK, RESERVOIR

Note: two locations have been pinpointed as potential sites.

1. Close to the entrance on the corner of Edwardes and Griffiths, near the steam engine [\[MAP\]](#)
2. Close to Seaver Grove, near the off-lead dog park [\[MAP\]](#)

Pros:

- Highly prominent location in the heart of Reservoir
- Close to main shopping area of Reservoir
- Soft landing (grass)
- Diverse area of Darebin. A broad range of community members frequent this area.
- Only 2 existing public artworks in Reservoir. Lowest distribution in municipality
- Idyllic park-location to spend time with this artwork or to congregate
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.

Cons:

- Lack of community support: Friends of Edwardes Lake Park strongly oppose this sculpture being located at the park due to confusing messaging around the motif of the fishing net in close proximity to a lake where fishing is prohibited and illegal fishing occurs.

Nearby entrance on the corner of Edwardes and Griffiths, near the steam engine:



Close to Seaver Grove, near the off-lead dog park [\[MAP\]](#)



8. JC DONATH RESERVE, RESERVOIR [Map Location](#)

Pros:

- Popular park in Preston frequented by many sports groups
- Close to Keon Park Train station, easy access to public transport
- Soft-fall landing (grass)
- Ample space to move safely around the artwork
- Only 2 existing public artworks in Reservoir. Lowest distribution in municipality
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.

Cons:

- Already another major public artwork (commissioned by the LXRP) in close proximity at the Keon Park Train station
- Park predominantly used by sporting groups. May not attract the same diversity of audiences as some other locations
- Artwork motif of a net may be misinterpreted as an ode to sport (due to proximity to several sporting nets)
- Proximity to skate park may increase likelihood of vandalism (noticeable graffiti already in the immediate area)



9. HP ZWAR RESERVE, CORNER CRAMER ST AND JESSIE ST, PRESTON [Map Location](#)**Pros:**

- Quiet environment encouraging contemplation
- Soft landing (grass)
- Close to public transport (between tram and train)
- Nearby Preston Market, though further than the Preston Oval
- Beside Melbourne Polytechnic Preston Campus
- Alignment with Objective 8 of Breathing Space, the Darebin Open Space Strategy: Make open spaces places for expression and art.

Cons:

- Less prominent area in terms of visitation, not on a main road
- May be mostly frequented by Melbourne Polytechnic students rather than broader Darebin communities



9.6 GENERAL LOCAL LAW REVIEW

Author: General Manager City Sustainability and Strategy
Special Advisor

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report:

- Describes why the General Local Law 2015 needs to be replaced by 30 June 2025, and the process that Council needs to follow when reviewing and making a new Local Law
- Presents a draft General Local Law 2025 and recommends that it be released for community engagement.

A General Local Law enables Council to support everyone to enjoy Darebin by protecting community health and safety, amenity, our public spaces and Council assets. It does this by setting out rules for what can and cannot occur in public spaces and on private property, and by establishing financial penalties for breaches.

Darebin's General Local Law 2015 sunsets on 30 June 2025. A new Local Law is needed to replace the current local law.

Officer Recommendation

That Council:

- (1) Endorses the consultation draft Community Amenity Local Law 2025 (**Attachment A**) for community engagement.
 - (2) Authorises the Chief Executive Officer to make minor changes to the consultation draft Community Amenity Local Law 2025 before community engagement commences, where these are insubstantial but required for correctness, clarity, formatting or the like.
 - (3) Requests that an Exposure Draft Community Amenity Local Law 2025 is developed, informed by feedback received during community engagement, and tabled at Council for consideration for public exhibition.
-

BACKGROUND / KEY INFORMATION

A General Local Law enables Council to support everyone to enjoy Darebin by protecting community health and safety, amenity, our public spaces and Council assets. It does this by setting out rules for what can and cannot occur in public spaces and on private property, and by establishing financial penalties for breaches.

The *Local Government Act 2020* (the Act) provides the legislative framework for Councils to make local laws. Section 71(1) of the Act states:

A Council may make local laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act.

The Act also sets out the process that Council must follow when making a local law. This includes complying with Council's Community Engagement Policy.

The following controls can, and should be in a Local Law:

- Determining behaviour of people on Council land – for example, people shouldn't hit golf balls in a public park, damage or deface public land
- Protecting Council assets – asset protection, building sites, cross overs, footpaths
- Controlling amenity issues – unsightly land, overhanging vegetation, lighting fires, animals, waste services
- Administrative – permits, fees, charges.

A Local Law should only control matters which are not controlled by other legislation.

All 79 Victorian Councils have a local law.

Darebin's current local law

Darebin's General Local Law 2015 sunsets on 30 June 2025. A new Local Law is needed to replace the current local law.

The current Local Law has been serviceable, but it no longer meets community expectations.

It needs to be modernised and address current and emerging issues by giving Council the tools its needs to manage unreasonable and unsafe behaviour in public places, protect Council assets and manage amenity.

Reviewing the General Local Law is an action in the 2021-25 Council Plan.

If the current Local Law is not replaced with an updated Local Law, Council faces significant risks and impacts including:

- Not being able to regulate the use of Council land, for example, any person could place any object on a footpath or public land
- Invalidating existing permits and asset protection bonds
- Not having tools to respond to common community concerns, for example abandoned vehicles and dogs off leash in leased areas.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

DISCUSSION

A draft Community Amenity Local Law 2025 has been prepared for community engagement (Attachment A). This engagement draft has been informed by:

- An internal assessment of the current 2015 Local Law, reviewing what we know of community need from customer requests and socio-economic trends, and operational challenges experienced administering the Local Law
- Recent Local Laws adopted by other metropolitan Councils, including 'lifting and shifting' relevant provisions. This has the benefit of being recently tested with other communities, being verified by a qualified lawyer, and, promotes consistency across Melbourne (supporting people to experience similar requirements wherever they travel and spend time)
- Best practice principles for making a Local Law (Attachment B), as described in the guidance set out in the Victorian State Government's Local Law Guidelines Manual (2010):
 - Necessary
 - Consistent – in language and effect
 - Compliant – with the legislation under which they are made and other legislative requirements
 - Enforceable
 - Accessible
 - Efficient
 - Accountable
 - Transparent
 - Current.

What is different in the draft Community Amenity Local Law 2025?

The draft Local Law 2025 is very different to the current Local Law 2015, because it follows contemporary, best practice models recently adopted across Victoria. Accessibility has been a focus, aiming to draft a plain language, legal document that clearly and transparently sets out behaviour expectations for residents, businesses and visitors to Darebin.

A 'statement of change' document will be prepared as a supporting community engagement document, and this will help people to understand what is changing for the areas that interest them the most.

Officers consider there are 12 draft provisions that are major changes, or, could have a significant impact on some parts of the community. These will be highlighted in an engagement survey and at face-to-face events to seek feedback. These provisions are:

- (1) Part 7 – Requirement of Building Sites (all)

Introduction of new provisions to ensure building sites are safe, secure, easily identifiable and waste materials are contained to the site and disposed in an environmental conscious manner.

- (2) Part 6 – Protection and Management of Council Assets and Infrastructure (all)
Significant rework of existing provisions around Council's asset protection measures, to ensure assets are safe and protected for all Darebin residents.
- (3) Part 5 – Council Land – Division 1 – Behaviour (all)
Significant rework of accepted behaviours on Council Roads and Land, to ensure public amenity is protected and safe for all Darebin residents.
- (4) Part 5 – Council Land – Division 3 – Trade – Clause 56/ Shopping Trolleys
New requirement for traders who have more than 25 shopping trolleys to fit coin lock mechanisms to trolleys

This is an attempt to ensure that trolleys are not left abandoned in public areas, potentially causing damage to parked vehicles and creating visual amenity concerns.
- (5) Part 5 – Council Land – Division 3 – Trade – Clause 59. Busking
New requirement for people busking to seek a permit for busking activities.

To ensure that public safety and amenity is protected on Council land.
- (6) Part 3 – Animals – Clause 30. Animal Noise
New provisions for the management of barking dogs, with clear and transparent requirements for the management of nuisance noise.
- (7) Part 3 – Animals – Clause 31. Feeding Animals
New provision allowing an authorised officer to direct a person to cease feeding non-domesticated animals.

To address concerns regarding feeding of pigeons and other pest animals and the environmental and amenity impacts that practice can have.
- (8) Part 3 – Animals – Clause 29. Animal Waste
New provision to ensure that a person in control of an animal has sufficient means to clean up that animal's excrement on public land.
- (9) Alcohol Free Areas
The removal of alcohol-free areas throughout Darebin.

The General Local Law 2015 contains provisions which criminalises having an open container of alcohol in declared public places.

The draft Community Amenity Local Law 2025 deletes this provision, noting the changes made to Victoria's public intoxication laws and a health based approach to alcohol consumption has been adopted.
- (10) Part 5 - Division 1 - Clause 43 - Camping on public land
While the wording of the Local Law is proposed to be changed, the affect has not, which would be a minor change pursuant to the best practice guidelines.

However, Council is seeking feedback on wording contained within the local law to ensure that people experiencing homelessness are not criminally accountable. The options are:

Darebin City Council publishes guidelines on homelessness, which should be read in conjunction with this clause.

or

Darebin City Council respects the rights of people who are sleeping rough. This clause is not intended to criminalise homelessness.

(11) Part 5 – Division 3 – Trade – Restrictions on Selling and Displaying Aerosol Spray Paint

Compels businesses who sell aerosol spray paint to lock away cans and not provide samples of paint to anyone under the age of 18, complementing provisions in the *Graffiti Prevention Act 2007*.

To ensure spray can containers are restricted and can't be easily accessible.

(12) Part 5 – Division 2 - Clause 50 – Behaviour involving motor vehicles

Creates an offence for people to gather, participate, encourage or attend a hoon event.

To ensure public safety around large gatherings where illegal hoon activities are occurring.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The current Local Law 2015 was made under the *Local Government Act 1989*. Under this former statute, penalty units were capped at \$100 per unit and were not indexed.

The *Local Government Act 2020* requires that penalty and fee units are set and calculated under the *Monetary Units Act 2004*. Under this Act, penalty units are indexed each financial year and increase in line with inflation. At 1 July 2024, one penalty unit is \$197.59.

This means that:

- If someone receives an infringement notice for an offence under the current Darebin Local Law 2015 that is set at one penalty unit, they need to pay \$100
- From the 1 July 2025, if someone commits an offence under the new Local Law 2025 that is set at one penalty unit, they will need to pay \$197.59 plus indexation. This effectively doubles the amount people need to pay for an offence with one penalty point.

Council does not have the option of keeping penalty points at \$100 per unit. It must set them under the *Monetary Act 2004*.

Council does have the ability to set the number of penalty points for offences. The draft Local Law 2025 sets out proposed penalty points, so the community can provide feedback during engagement.

Community Engagement

If Council endorses releasing the draft Local Law, community engagement will be held in January and February. A Community Engagement Plan is being prepared which is being guided by the following objectives:

- To inform the community about what a Local Law is, its purpose, what it can do, and what it cannot do
- To invite and receive feedback from Darebin's diverse community on:
 - The draft General Local Law 2025 document

- The proposed changes to the General Local Law
- The change in how Council must now apply and use penalty points in its General Local Law
- What is most important to the community about a General Local Law
- Equity and inclusion needs and concerns relating to the draft General Local Law.

The Darebin YourSay page will be the primary point of contact for the community, and will include a survey, the draft General Local Law 2025, a statement-of-change document, and supporting communication materials to support people to participate – including translations.

A specialist engagement consultant with much experience developing and engaging the community in Local Law reviews has been appointed, and will focus on reaching our diverse community and making participation a safe and welcoming experience.

Second phase of engagement

Before Council considers and adopts a new General Local Law, it must release an exposure draft for public exhibition.

The feedback received during the first phase of engagement will inform the exposure draft that officers will develop and recommend to Council for exhibition.

The Act requires that the final Local Law that is adopted does not substantially change from the exposure draft. This means that it is not possible to include new rules, or amended rules, in the adopted Local Law that have not been included in the exposure draft. It is possible to remove rules in the adopted Local Law.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances;

Service Performance Principles

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The revised Local Law can better protect Council owned trees, and pollution arising from activities such as construction.

The Tree Local Law 2019 regulates trees on private property and is not part of this review.

This is because the scope of work needed to replace the General Local Law 2025 by 30 June 2025 is large. The organisation does not have capacity to progress both reviews at the same time.

Officers consider that there are opportunities to improve the Tree Local Law 2019, even though it doesn't sunset until 2029. Officers will provide further advice to Council about this matter.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The Local Law must align with the *Charter of Human Rights and Responsibilities Act 2006*. A preliminary Equity Impact Assessment has been developed, and a second, more detailed assessment will occur informed by community feedback.

Economic Development and Cultural Considerations

The proposed draft Local Law will place new requirements on some businesses, and they will have the opportunity to provide feedback during the first stage of community engagement.

Operational Impacts

Implementing a new Local Law will require a service review and new Standard Operating procedures. This is an opportunity to continue to strengthen current compliance regulatory services so that they align with *Towards Equality* and provide a better customer experience.

Legal and Risk Implications



The *Local Government Act 2020* sets out a number of requirements that must be met when making a Local Law. These are being followed to achieve compliance.

Not making a new Local Law by 30 June 2025 creates significant risk for community and Council – including financial risk and impact.

RELATED DOCUMENTS

- *Local Government Act 2020*
- Darebin General Local Law 2015
- Victorian State Government Local Law Guidelines

Attachments

- Engagement Draft - Local Law 2025 (**Appendix A**) [↓](#) 
- Local Law Review - Best Practice (**Appendix B**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



COMMUNITY AMENITY LOCAL LAW 2025

This Local Law was made by resolution of Council on DAY MONTH 2025
and commenced on DAY MONTH 2025.

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Incorporated by reference

- Darebin Waste and Recycling Guide
- X
- X
- X
- X
- X

Consultation Draft

PART 1**INTRODUCTORY****1. Title**

This Local Law is the Community Amenity Local Law 2025 of Darebin City Council.

2. Objectives of this Local Law

The principal objectives of this Local Law are to:

- (a) provide for the peace, order, and good government of the *Municipal District* of Darebin City Council.
- (b) promote a physical and social environment in which residents and visitors to the *Municipal District* can enjoy a quality of life that meets the general expectations of the community;
- (c) prevent and suppress nuisances which may adversely affect the enjoyment of life within the *Municipal District* or the health, safety, and welfare of persons within the *Municipal District*;
- (d) prohibit, regulate, and control activities which may be dangerous or unsafe or detrimental to a person's health, amenity, or the environment;
- (e) prohibit, regulate and control access to and behaviour in municipal places;
- (f) prohibit, regulate and control the use of municipal recreation centres, municipal buildings, and municipal reserves;
- (g) define the standards to which persons engaged in building work should adhere;
- (h) provide for fair access and use of Council and community assets and prescribe measures to protect those assets; and
- (i) prescribe requirements for the administration and enforcement of the Local Law.

3. Authorising Provision

This Local Law is made under section 71 of the *Local Government Act 2020*.

4. Operation Date

This Local Law comes into operation on DAY MONTH 2025.

5. Revocation Date

This Local Law ceases to operate on DAY MONTH 2035, unless revoked sooner by Council.

6. Repeal of Local Laws

From the commencement of this Local Law, the General Local Law – 2015 that commenced on 1 July 2015 is repealed.

7. Application of the Local Law

This Local Law applies and has operation throughout the whole of the *Municipal District*.

8. Exemptions from this Local Law

Nothing in this Local Law prevents any member, officer or employee of:

- (a) an emergency service; or
- (b) a State or Commonwealth government department or agency; or
- (c) any military or civil-defence organisation; or
- (d) the Council; or
- (e) a contractor directly engaged by the Council to undertake works or to provide a service,

from performing any of the duties they are lawfully entitled or required to perform while engaging in those duties and any person acting accordingly is not guilty of any offence under this Local Law.

9. Incorporated documents, codes and policies

- (a) This Local Law is to be read in conjunction with any document incorporated in accordance with section 76 of **the Act**.
- (b) The following documents are incorporated into this Local Law, in accordance with section 76(1) of **the Act**: INSERT INCORPORATED DOC NAMES HERE
- (c) Any Council guidelines published by Council that are made from time to time by Council under clause 87 of this Local Law.

10. Definitions

Unless the contrary intention appears in this Local Law, the following words are defined to mean:

WORDS	MEANING
'the Act'	The <i>Local Government Act 1989</i> and/or <i>Local Government Act 2020</i> .
'acceptable no smoking sign'	<p>Has the same meaning as in the <i>Tobacco Act 1987</i>.</p> <p>Explanatory note</p> <p>The <i>Tobacco Act 1987</i> defines acceptable no smoking sign as sign that contains –</p> <p>(a) a no smoking symbol in the form of a circle and diagonal line printed in red over a depiction of a cigarette and smoke printed in black, or other symbol that clearly indicates that smoking is not permitted, with the symbol being at least 70 mm in height; and</p> <p>(b) the phrase "No Smoking" or "Smoking Prohibited", or other wording that clearly indicates that smoking is not permitted, in letters that are at least 20 mm in height;</p>

Community Amenity Local Law – 2025

Part 1 – Introductory

'advertising sign'	Includes any placard, inflatable sign, portable electric sign, illuminated, revolving, spinning, or flashing sign, flag, banner, A-frame structure and other object or similar sign, being of a fixed or transient nature including being affixed to a vehicle, trailer, bicycle, tricycle, trolley, or other object and includes a real estate pointer board
'animal'	Includes any mammal and bird
'animal owner'	Includes a person who keeps or who harbours an animal or has an animal in his or her care for the time being, whether such animal is at large or in confinement.
'appointed agent'	The person authorised in writing by an owner of a building or land to make an application, appeal, referral, or representation on their behalf.
'approved household waste bin'	means a bin supplied by Council for the provision of a domestic landfill waste collection service provided by Council.
'assistance animal'	<p>Has the same meaning as in the <i>Disability Discrimination Act 1992 (Cth)</i>.</p> <p><i>Explanatory note</i> <i>The Disability Discrimination Act 1992 defines assistance animal as –</i></p> <p><i>For the purposes of this Act, an assistance animal is a dog or other animal:</i></p> <p><i>(a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a persons with a disability to alleviate the effect of the disability; or</i></p> <p><i>(b) accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or</i></p> <p><i>(c) trained:</i></p> <p><i>(i) to assist a person with a disability to alleviate the effect of the disability; and</i></p> <p><i>(ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place</i></p>
'assistance dog'	<p>Has the same meaning as in the <i>Equal Opportunity Act 2010</i>.</p> <p><i>Explanatory note</i> <i>The Equal Opportunity Act 2010 defines assistance dog as –</i></p> <p><i>A dog that is trained to perform tasks or functions that assist a person with a disability to alleviate the effects of his or her disability;</i></p>

Community Amenity Local Law – 2025

Part 1 – Introductory

'authorised officer'	Any person appointed by Council to be an Authorised Officer under section 224 of the <i>Local Government Act 1989</i> and includes members of Victoria Police who are appointed under that section.
'builder'	means a person who: a) carries out building work, or b) manages or arranges the carrying out of building work, or c) intends to carry out, or to manage or arrange the carrying out of, building work.
'building'	Includes any structure or building, whether temporary or permanent, or any part of such building or structure.
'building site'	Any land on which building work is carried out.
'building work'	Includes any work for or in connection with: (a) the construction, demolition, renovation, alteration or removal of any building or structure or earthworks such as excavation, digging or boring and includes landscaping or concreting on private land and; (b) delivery and removal of goods or materials.
'bulk rubbish container'	means a bin, skip or other container used for the deposit of waste but excludes an approved household waste bin.
'busk'	Means the sounding or playing of a musical instrument, singing, giving a recitation, or performing any conjuring, juggling, puppetry, mime, dance, footpath art or other entertainment or doing any of those things concurrently.
'camp'	The use of a tent, a sleeping bag, a caravan, mobile home, or any other moveable vehicle to provide accommodation.
'Chief Executive Officer'	The Chief Executive Officer of the Council or any person acting in that position and includes a person authorized by the Chief Executive Officer to act on his or her behalf in relation to this Local Law.
'clothing recycling bin'	A bin or similar structure used for the collection of used clothing (whether or not it is used for the collection of other goods).
'completion of the building work'	a) in relation to building work that requires an occupancy permit to be issued (or its equivalent), the date the occupancy permit is issued; or b) in relation to building work that requires a certificate of final inspection to be conducted (or its equivalent), the date the final inspection is conducted; or c) in relation to building work that does not require an occupancy permit or a final inspection, the date the works being undertaken needs no further substantive work for it to be used or enjoyed for the purpose for which it is being constructed.
'container'	A suitable rubbish container capable of restricting debris and other waste from leaving a building site.
'Council'	Darebin City Council.
'corporation'	Has the same meaning as in the <i>Corporations Act 2001</i> .

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'Council land'	Means any land, buildings, assets, and facilities which are owned, occupied, or vested in the Council or in respect of which the Council has the care and management and to which the public has access or ought to have access to, whether an entry fee is paid or not.
'designated material'	means any materials, products or substances that are accepted in respective Garbage Bin, Recycling Bin, Green Waste bin or Skip Bin, Glass bin or any other waste bin as determined by Council from time to time
'dwelling'	Any building or portion of a building which is used, intended, adapted, or designed for use for human habitation
'electric scooter'	Means a vehicle that: <ul style="list-style-type: none"> • Has a maximum speed of 25 km/h on level ground • Has two wheels, one in front of the other • Has a footboard between the wheels • Is steered by a handlebar • Weighs no more than 45 kg • Is propelled by a motor or by the rider pushing one foot against the ground
'e-cigarette'	has the same meaning as in the Tobacco Act 1987 Explanatory note The Tobacco Act 1987 defines an 'e-cigarette' to mean: (a) a device (other than a device that is prescribed to be not an e-cigarette for the purposes of this Act) that is designed to generate or release an aerosol or vapour (whether or not containing nicotine) by electronic means for inhalation by its user in a manner that replicates, or produces an experience similar to, the inhalation of smoke from an ignited tobacco product; or (b) any other device prescribed by the regulations.
'event'	Means an organised recreational, cultural, commercial, or social event or a gathering of people, and includes a procession, festival, and street party.
'footpath'	Has the same meaning as in the <i>Road Safety Road Rules 2017</i> .
'hazardous substance'	Has the same meaning as in the <i>Environment Protection Regulations 2021</i> .
'hoon event'	Means one or more motor vehicles being driven in a manner that intentionally or recklessly leads to the motor vehicle/s: (a) losing traction; (b) racing; (c) time trialling; or (d) emitting undue noise or smoke.

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'impound'	means the seizing or taking possession of any item and includes the holding of that item at any location until the item is returned, released or disposed of.
'incinerator'	A structure, device or piece of equipment which is designed, adapted, used or capable of being used for the burning of any material or substance and which is not: (a) enclosed in any building; (b) a barbecue; or (c) licensed under the provisions of the <i>Environment Protection Act 2017</i> .
'infringement notice'	has the same meaning as in the <i>Infringements Act 2006</i> .
'land'	Has the same meaning as in the <i>Interpretation of Legislation Act 1984</i> and includes any Council land or private land in separate or joint ownership or occupation. Explanatory note: <i>Interpretation of Legislation Act 1984</i> defines land as – includes buildings and other structures permanently affixed to land, land covered with water, and any estate, interest, easement, servitude, privilege or right in or over land;
'litter'	Has the same meaning as in the <i>Environment Protection Act 2017</i> .
'miniaturised motor cycle'	Has the same meaning as in the <i>Road Safety Act 1986</i> .
'minor building work'	Building work valued at less than \$10,000 but excludes demolition and removal of buildings and structures and the installation of swimming pools (regardless of value).
'motor vehicle'	Has the same meaning as in the <i>Road Safety Act 1986</i> . Explanatory note The Road Safety Act 1986 defines a 'motor vehicle' as meaning a vehicle that is used or intended to be used on a highway and that is built to be propelled by a motor that forms part of the vehicle but does not include- (a) a vehicle intended to be used on a railway or tramway; or (b) a motorised wheel-chair capable of a speed of not more than 10 kilometres per hour which is used solely for the conveyance of an injured or disabled person; or (c) a vehicle that is not a motor vehicle by virtue of a declaration under subsection (2)(b) [of section 3].

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<i>‘moveable advertising sign’</i>	Any moveable board, notice, structure, banner, or other similar device used for the purposes of notifying a sale, soliciting sales, or notifying people of the presence of an adjacent property where goods or services may be obtained.
<i>‘municipal building’</i>	means a building: a) that is owned, occupied or controlled by Council, or b) that is under the care or management of Council.
<i>‘municipal district’</i>	has the same meaning as in <i>the Act</i> . Explanatory note <i>The Act</i> defines ‘municipal district’ to mean the district under the local government of a Council.
<i>‘municipal place’</i>	means a municipal building, municipal recreation centre or municipal reserve.
<i>‘municipal recreation centre’</i>	means any municipal building containing or associated with sporting activities, pool, spa, sauna, public bathing facilities, and includes all land and outdoor areas associated with or accessible from the municipal building.
<i>‘municipal reserve’</i>	means any land within the municipal district that is owned, occupied or managed by the Council including any structure, fixture, fitting and garden, bushland on or at the land, but does not include a municipal building or municipal recreation centre.
<i>‘noxious weeds’</i>	Has the same meaning as in the <i>Catchment and Land Protection Act 1994</i> . Explanatory note The Catchment and Land Protection Act 1994 defines ‘noxious weed’ to mean: a) a State prohibited weed, b) a regionally prohibited weed, c) a regionally controlled weed or d) a restricted weed. A full list of noxious weed species can be obtained from Council, or from the Department of Energy, Environment and Climate Action.
<i>‘occupier’</i>	includes: a) a person who manages any land on behalf of the land’s owner or occupier; and b) a person who is responsible for the care and control of any land; and c) a lessee or licensee of any land;
<i>‘operator’</i>	Means the person who was driving or in charge of the vehicle at the time when it was involved in the commission of a relevant offence.
<i>‘owner’</i>	means: a) in relation to a building, the owner of land on which the building is situated, and b) in relation to a motor vehicle: i. the registered owner of the motor vehicle; or

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	<p>ii. a person who has possession of the motor vehicle</p> <p>Explanatory note</p> <p>For the meaning of 'owner' in relation to land see section 3(1) of the Local Government Act 2020, which means the person who is entitled to receive the rack-rent for the land or who, if the land were let at a rack-rent, would be entitled to receive the rent.</p>
'penalty unit'	<p>Has the same meaning as in the <i>Sentencing Act 1991</i>.</p> <p>Explanatory note</p> <p>For the purpose of this Local Law, section 110 of the Sentencing Act 1991 defines 'penalty units' to mean a number of dollars equal to the product obtained by multiplying the number of penalty units by the amount fixed from time to time by the Treasurer under section 5(3) of the Monetary Units Act 2004.</p>
'person'	<p>Includes a natural person, a corporation, an association incorporated under the <i>Associations Incorporation Reform Act 2012</i>, a partnership, an unincorporated association and a public statutory corporation constituted by or under any law of the State of Victoria, any other State or Territory of the Commonwealth or the Commonwealth.</p>
'policy'	<p>A policy applied by Council from time to time for the purpose of the particular provision in which the term is used.</p>
'poultry'	<p>Includes ducks, chickens, geese, peacocks, pheasants, turkeys, and guinea fowl.</p>
'permit'	<p>A permit in writing issued for the purpose of the particular provision in which the term is used.</p>
'planning scheme'	<p>Means the Darebin Planning Scheme.</p>
'power-assisted pedal cycle'	<p>Has the same meaning as in the Vehicle Standard (Australian Design Rule – Definitions and Vehicle Categories) 2005 determined under section 7 of the <i>Motor Vehicle Standards Act 1989</i>.</p>
'premises'	<p>Includes a building, land, flat, unit, house and dwelling but does not include any building, land, flat, unit, home or dwelling owned or under the control of Council.</p>
'prescribe and prescribed'	<p>Means determined and resolved by Council.</p>
'private land'	<p>means any land which is not owned or occupied or under the control or management of a public body.</p>
'property'	<p>means any land, building or dwelling in separate ownership or separate occupation within the municipal district and includes premises, crops, trees and other improvements.</p>
'public body'	<p>Any government department or body established for a public purpose by or under an Act of the Parliament of Victoria, any other State or Territory of the Commonwealth, or the Commonwealth, and includes any water authority established by or under such Acts.</p>

<p>'public place'</p>	<p>Has the same meaning as in the <i>Summary Offences Act 1966</i>.</p> <p>Explanatory note</p> <p><i>The Summary Offences Act 1966 defines public place as follows:</i></p> <p><i>'public place' includes and applies to—</i></p> <p><i>a) any public highway road street bridge footway footpath court alley passage or thoroughfare notwithstanding that it may be formed on private property;</i></p> <p><i>b) any park garden reserve or other place of public recreation or resort;</i></p> <p><i>c) any railway station platform or carriage;</i></p> <p><i>d) any wharf pier or jetty;</i></p> <p><i>e) any passenger ship or boat plying for hire;</i></p> <p><i>f) any public vehicle plying for hire;</i></p> <p><i>g) any church or chapel open to the public or any other building where divine service is being publicly held;</i></p> <p><i>h) any state school or the land or premises in connexion therewith;</i></p> <p><i>i) any public hall theatre or room while members of the public are in attendance at, or are assembling for or departing from, a public entertainment or meeting therein;</i></p> <p><i>j) any market;</i></p> <p><i>k) any auction room or mart or place while a sale by auction is there proceeding;</i></p> <p><i>l) any licensed premises or authorised premises within the meaning of the Liquor Control Reform Act 1998;</i></p> <p><i>m) any race-course cricket ground football ground or other such place while members of the public are present or are permitted to have access thereto whether with or without payment for admission;</i></p> <p><i>n) any place of public resort;</i></p> <p><i>o) any open place to which the public whether upon or without payment for admittance have or are permitted to have access; or</i></p> <p><i>p) any public place within the meaning of the words 'public place' whether by virtue of this Act or otherwise.</i></p>
<p>'recreational vehicle'</p>	<p>Means any miniaturised motor cycle, trail bike, motor cycle, motor scooter, go-cart, four-wheel drive vehicle or other vehicle propelled by a motor, which can be used for recreational purposes, but does not include:</p> <p>(a) a motorised wheelchair;</p> <p>(b) a power-assisted pedal cycle that meets the legislative requirements;</p> <p>(c) an electric scooter that meets the legislative requirements; or</p> <p>(d) a vehicle whilst engaged in legitimate farming activities.</p>

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'residential area'	Means land within one of the Residential Zones of the Planning Scheme.
'retailer'	A person who sells goods by retail and who provides trolleys to customers.
'road'	<p>Has the same meaning as in the <i>Local Government Act 1989</i>.</p> <p>Explanatory note: <i>In section 3 of the Local Government Act 1989 'road' is defined as follows:</i> <i>'road' includes —</i></p> <ul style="list-style-type: none"> <i>a) a street; and</i> <i>b) a right of way; and</i> <i>c) any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the Land Act 1958; and</i> <i>d) a passage; and</i> <i>e) a cul-de-sac; and</i> <i>f) a by-pass; and</i> <i>g) a bridge or ford; and</i> <i>h) a footpath, bicycle path or nature strip; and</i> <i>i) any culvert or kerbing or other land or works forming part of the road.'</i>
'sell or sold'	<p>Means the ordinary meaning of sell or sold and includes -</p> <ul style="list-style-type: none"> (a) sell by means of any machine, electronic device, or mechanical device; (b) hire; (c) barter or exchange for sale or hire; (d) offer or expose or display for sale or hire; (e) advertise for sale or hire; (f) keep or have in possession for sale or hire; or (g) agreeing to, directing, causing, or attempting to sell or hire.
'smoke'	<p>Has the same meaning as in the <i>Tobacco Act 1987</i>.</p> <p>Explanatory note The Tobacco Act 1987 defines smoke to mean:</p> <ul style="list-style-type: none"> (a) smoke, hold or otherwise have control over an ignited or heated tobacco product; or (b) use an e-cigarette to generate or release an aerosol or vapour
'smoke free area'	Means any area prescribed by Council.
'smoke free event'	Means an organised recreational, cultural, commercial, or social event or a gathering of people which is held on Council land and prescribed by Council or determined by an <i>Authorised Officer</i> and it includes a procession, festival, and street party.

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'street furniture'	Includes furniture used for outdoor dining such as tables and chairs, and ancillary equipment such as gas heaters, screens, planter boxes, umbrellas, blinds, menuboards, and awnings
'street litter bin'	Means a receptacle provided by Council in a public place to receive packaging, papers and other litter arising during the occupation or use of the public place by any person.
'tobacco product'	has the same meaning as in the Tobacco Act 1987. Explanatory note The Tobacco Act 1987 defines 'tobacco product' to mean tobacco, cigarette or cigar or any other product containing tobacco and which is designed for human consumption.
'toy vehicle'	Includes: (a) a vehicle designed to be propelled by human power and includes a scooter, skateboard, roller skates, roller blades and like toys; or (b) a remote control vehicle but does not include a motorised wheelchair or motorised mobility aid used by a person of impaired mobility; or a pram or pusher when used for its intended purpose.
'trade waste'	Any waste, refuse, slops, or other matter arising from or generated by any trade, industry, or commercial undertaking.
'trade waste bin'	A purpose-built container for the deposit of trade waste.
'trail bike'	Means a motorcycle for use on rough terrain.
'unreasonable noise'	Has the same meaning as in the <i>Environment Protection Act 2017</i> . Explanatory note The Environment Protection Act 2017 defines 'unreasonable noise' to mean: (a) noise that is unreasonable having regard to the following- (i) its volume, intensity or duration; (ii) its character; (iii) the time, place and other circumstances in which it is emitted; (iv) how often it is emitted; (v) any prescribed factors; and (b) noise that is prescribed to be unreasonable noise; and (c) does not include noise prescribed not to be unreasonable noise.
'use'	In relation to a vehicle means park, ride, or drive.
'utility'	Has the same meaning as in the <i>Road Management Act 2004</i> . Explanatory note

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	<p>The Road Management Act 2004 defines utility as:</p> <p>(a) an entity (whether publicly or privately owned) which provides, or intends to provide, water, sewerage, drainage, gas, electricity, telephone, telecommunication or other like services under the authority of an Act of Victoria or the Commonwealth;</p> <p>(b) any person who under the Pipelines Act 2005 is the holder of a licence to construct and operate a pipeline;</p>
'vehicle'	<p>Has the same meaning as in the <i>Road Safety Act 1986</i>.</p> <p>Explanatory note</p> <p>The Road Safety Act 1986 defines vehicle as a conveyance that is designed to be propelled or drawn by any means, whether or not capable of being so propelled or drawn, and includes bicycle or other pedal-powered vehicle, trailer, tram-car and air-cushion vehicle but does not include railway locomotive or railway rolling stock</p>
'vehicle owner'	<p>Means the person who is the registered owner of the motor vehicle or has immediate right to the possession of the vehicle or the person who appears to be in control of the vehicle.</p>
'work'	<p>Includes:</p> <ul style="list-style-type: none"> (a) excavating, digging holes and landscaping; (b) erecting fencing, hoarding and scaffolding; (c) using a mobile crane or travel tower or similar; (d) constructing, removing, or altering a vehicle crossing; and (e) installing fences, barriers or other items that restricts access to or movement on a road.

PART 2 - YOUR PROPERTY**11. Unsightly Land**

- (1) An occupier of **private land** must not keep or allow another person to keep that **private land** in a manner which is, in the opinion of **Council** or an **Authorised Officer**:
 - (a) unsightly; or
 - (b) detrimental to the general amenity of the area in which it is located.
- (2) Without limiting the generality of Clause 11(1), **private land** may be unsightly or detrimental to the general amenity of the neighbourhood in which it is located by the presence of:
 - (a) disused excavation;
 - (b) a **building** which is incomplete and not currently being constructed;
 - (c) unconstrained rubbish, litter, waste material or any stockpile;
 - (d) excessive vegetation growth;
 - (e) second-hand materials, scrap metal, building materials or building refuse;
 - (f) derelict **vehicles** and machinery, or **vehicle** or machinery parts;
 - (g) graffiti on exterior walls of buildings or fences; or
 - (h) any material or substance that makes the land out of character with the appearance of other land in the neighbourhood, irrespective of whether it can be seen from a neighbouring property or a **public place**.
- (3) For the purpose of clause 11(1)(b) detrimental to the general amenity of the area means, in the opinion of an Authorised Officer, it has substantial adverse visual impact in the context of the surrounding area taking into account its appearance to the street, neighbouring properties or any public place, but does not take into account the intended design or siting of a building.

12. Dilapidated Building

- (1) An occupier of private land must not allow a building located on the private land to:
 - (a) become dilapidated; or
 - (b) become further dilapidated, and
 - (c) must maintain any such building in a state of good repair.
- (2) For the purposes of Clause 12(1), a building is dilapidated if it is in a state of disrepair or has deteriorated or fallen into a state of partial ruin as a result of age, neglect, poor maintenance, or misuse.

13. Dangerous Land

- (3) An occupier of **private land** must not, in the opinion of **Council** or an **Authorised Officer**:
 - (a) keep or allow another person to keep that **private land** in a manner which is dangerous or likely to cause danger to health, life or property; or
 - (b) allow that **land** to contain *vermin* or *noxious weeds*.

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- (4) Clause 13(1)(a) does not apply to any danger to health, life or property arising from the condition of vegetation, including trees, unless the vegetation or trees poses a risk to persons or property in a *public place*.

14. Obstructions

- (1) An *occupier of land* must not permit anything, including vegetation, located on the *land* to overhang the boundary of the *land* so as to:
- (a) obstruct the clear view of a pedestrian or the driver of any *vehicle* travelling along the *road* abutting the *land*;
 - (b) encroach upon any *road* or *Council land*;
 - (c) otherwise prejudice the safe and convenient use of any *road* by pedestrians or drivers; or
 - (d) obscure street lights or a traffic control device.
- (2) A person must not leave or allow to be left any thing or material that encroaches on a road (including a road reserve, footpath or nature strip), or obstructs the free use of a road or that reduces the breadth, or confines the limits, of a road, without a permit.
- (3) Authorised Officer may impound any thing or material that is left contrary to clause 14(2) or contrary to the conditions of a permit issued under this Local Law.
- (4) The Council or an Authorised Officer may exempt
- (a) a person;
 - (b) a class of persons; or
 - (c) a body corporate from the application of clause 14(2)

15. Shipping Containers

- (1) A person must not keep, store, repair or in any other manner use a shipping container on land without a permit issued under this Local Law unless the Planning Scheme requires a planning permit for such use and a planning permit under the Planning Scheme has been issued.

16. Numbering Properties

- (2) An *occupier* must not number or display a number in respect to the land unless the number has been allocated to or approved for use by *Council* in relation to the land.
- (3) If *Council* has allocated a number to the land, the *occupier* of the land must ensure that the land is marked with the number allocated by *Council* and the numbers are of sufficient size and free from obstructions so that they can be clearly read under normal lighting conditions from the *road* immediately adjacent to the front boundary of the land.

17. Oversize Vehicles

- (1) A *person* must not, without a *permit*, park, store, or repair or allow another person to park, store or repair a vehicle over 7.5 metres in length (including any trailer and fittings) and/or a vehicle with a Gross Vehicle Mass in excess of 4.5 tonnes on private *land*, which is in a *Residential Area*.

18. Camping on Private Land

- (1) A *person* must not *camp* on vacant private *land*.
- (2) A *person* may *camp* on private land where there is an existing dwelling for a cumulative period of not more than six (6) months in any twelve (12) month period provided that:

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- (a) appropriate sanitary facilities are available to the *land*; and
 - (b) there is no detrimental effect on the amenity of adjoining *land*.
- (3) A *person* must not, without a *permit* or unless exempted under the *Planning Scheme*, *camp* on private *land* in excess of the period prescribed in Clause 18(2).

19. Use of Recreational Vehicles on Private Land

- (1) A person must not use a recreational vehicle on private land.
- (2) An occupier of private land must not allow a person to use a recreational vehicle on that land.

20. Lights

- (1) An occupier of land must not cause or allow to be caused, in the opinion of Council or an Authorised Officer, a light to be a nuisance to any other person.

21. Incinerators, fires and open-air burning

- (1) A person must not light or allow any fire to be lit in the open air or in an incinerator on any land.
- (2) the prohibition in sub-clause (1) does not apply to a fire which is approved by a permit for a special event or cultural ceremonies.
- (3) Subject to the requirements of any other legislation, the prohibition in sub-clause (1) does not apply to a person who uses a barbecue for the purposes of cooking food or by a Wurundjeri Woi Wurrung Elder, or other person authorised by the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, to undertake a smoking ceremony
- (4) For the purpose of sub-clause (3) a barbecue is a device specifically designed and constructed for the purpose of cooking.

22. Direction to Extinguish Fires

A *person* or *occupier* of *land* who has lit or allowed a fire to remain alight contrary to the provisions in this local law, must extinguish the fire immediately on being directed to do so by:

- (a) an *Authorised Officer*; or
- (b) a member of Victoria Police or the Country Fire Authority or Fire Rescue Victoria.

23. Restrictions on Burning in the Open Air in Public Places and on Council Land

- (1) A person must not, without a permit or the relevant land manager's consent, light or allow to be lit, a fire in the open air on;
 - (a) a road;
 - (b) Council land or reserve;
 - (c) Crown land; or

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(d) any public place

unless it is authorised by signs placed on the land by Council.

24. Unreasonable Noise

(1) A person must not cause or allow unreasonable noise to be emitted from Council land.

25. Audible Intruder Alarm

(1) A **person** must not in any premises install or permit or allow to be installed or cause to be retained in an active state, an intruder alarm, which emits a noise audible beyond the boundary of the premises, unless such an alarm is constructed or regulated to ensure that it complies with the relevant Australian Standard.

PART 3 - ANIMALS

26. Keeping of Animals Generally

- (1) The limitations and restrictions in this Part do not prohibit the keeping of any animals for which a planning permit is required under the *Planning Scheme* and a planning permit has been issued for such keeping.
- (2) An *occupier* of any *land* must not, without a *permit*, keep or allow to be kept on that *land* any more of each of the species or group, or type of animals than is stated in the following Table:

Animal	Permitted without a permit
Dogs	2
Cats	2
Small animals - mice, rats, ferrets, guinea pigs, rabbits, etc	5
Birds	10
Poultry/Fowl or similar (excluding Roosters)	5
Rooster	0
Reptiles	2
Farm animals including cattle, sheep, pigs goats and horses	0

(3) Notwithstanding Clause 26(2), if the above Table specifies the number of nought (0) for any type of **animal** on that size of allotment, the keeping of that type of **animal** on that

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size of allotment is prohibited and a permit cannot be granted.

- (4) *Council* or an *Authorised Officer* may exempt any *person* or class of persons from the application of Clauses 26(2) or (3).
- (5) Notwithstanding Clauses 26(1), (2) and (3), a *person* is allowed to keep an *assistance dog* or *assistance animal* on land, provided that the *assistance dog* or *assistance animal* is registered with *Council* or an appropriate body or *Applicable Organisation*, if required under legislation.

27. Responsible Breeding of Dogs and Cats

- (1) A person, other than the proprietor of a registered domestic animal business or a member of an Applicable Organisation under the ***Domestic Animals Act 1994*** with which a dog or cat is registered, must not sell, or give away to any person any dog or cat that has not been de-sexed except where the dog or cat is ten (10) years of age or older.
- (2) A person must, when selling or giving away a dog or cat, provide details of the dog or cat and details of the new owner to Council within seven (7) days of selling or giving away that dog or cat.

28. Keeping Animals

- (1) An occupier of land must ensure that any land used for keeping an ***animal***:
 - (a) is maintained in a clean, inoffensive, and sanitary condition and does not cause a nuisance to any other person;
 - (b) is kept to the satisfaction of Council or an Authorised Officer; and
 - (c) is adequately fenced and the fence maintained to the satisfaction of Council or an Authorised Officer, so that any ***animal*** kept on the land cannot escape from that land.
- (2) An occupier of land on which an ***animal*** is kept must ensure that:
 - (a) any structure used for housing of that ***animal*** is located so as not to cause a nuisance.
 - (b) any structure used for housing of that ***animal*** is not attached to, or within one (1) metre of, a fence or other structure designed to separate neighbouring land;
 - (c) the land surrounding the place where the ***animal*** is kept is free from rubbish or vegetation that could attract or harbour vermin;
 - (d) all ***animal*** food for consumption is kept or stored in a vermin and fly proof receptacle; and
 - (e) all ***animal*** waste is removed so as not to be offensive or a nuisance to any other person.

29. Animal Waste

- (1) An owner or person in apparent control of an ***animal*** must:
 - (a) not allow any part of that ***animal***'s excrement to remain on any road (including a road reserve, footpath or nature strip) or public place or any other land not occupied by that person,
 - (b) ensure that the means by which to collect and dispose of that ***animal***'s excrement are carried and used by any person in apparent control of the animal

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when the **animal** is not on the property occupied by that person, and

- (c) not allow any **animal** excrement to be moved (whether by washing, sweeping or otherwise) from any property on to a road (including a road reserve, footpath or nature strip).

30. Animal Noise

- (1) An owner or occupier of any land must take all reasonable steps:
 - (a) to prevent any animal making unreasonable noise on the land; or
 - (b) to prevent any noise caused by an **animal** being emitted from the land which in the opinion an Authorised Officer is unreasonable or objectionable to a person on other land or premises; or
 - (c) adversely affects the amenity of any person on other land or premises.
- (2) For the purposes of clause 30(1), in determining whether noise is unreasonable or objectionable or adversely affects the amenity, regard must be had to:
 - (a) its volume, intensity or duration; and
 - (b) the time, place and other circumstances in which it is emitted.
- (3) For the purposes of clause 30(1), reasonable steps to prevent the noise include (but are not limited to):
 - (a) identifying and modifying stimuli or conspicuous causes of the **animal's** behaviour, and
 - (b) controlling or modifying the physical environment in which the **animal** is kept, and
 - (c) (where the **animal** causing the noise is a dog) the owner and the dog participating in behavioural training, and
 - (d) (where the **animal** causing the noise is a dog) using an appropriate anti-barking collar, and
 - (e) obtaining advice from a veterinarian or **animal** behaviourist and implementing that advice, and
 - (f) securing the **animal** within a dwelling unless supervised by a person capable of preventing the **animal** from making unreasonable or objectionable noise, or noise adversely affecting the amenity of any person on other land or premises, and
 - (g) considering removal of the **animal** from the land or dwelling, and
 - (h) keeping records of any steps taken, including the dates and times that steps were taken and the effectiveness of such steps, and providing those records to the Council upon request by an Authorised Officer.

31. Feeding of Animals

- (1) If an Authorised Officer is of the opinion that the feeding of a non - domesticated **animal** by a person is causing a nuisance or may damage property, the Authorised Officer may direct the person to cease feeding the **animal**.
- (2) A person to whom a direction is given under Clause 31(1) must comply with that direction.

32. Wasps and Bees

- (1) An owner or occupier of land must ensure that any European wasps on the land are destroyed.
- (2) An occupier of land must ensure that any European honeybees that have a hive or are swarming on the land are removed from the land, unless the hive is registered with an appropriate body.

PART 4 - WASTE**33. Approved Household Waste Bin**

- (1) Council or an Authorised Officer may determine under this clause whether an approved household waste bin is to be used for the deposit of waste by the occupier of land, and the occupier of the land must comply with any such determination by Council or an Authorised Officer.
- (2) The occupier of land to which Council provides a waste collection service must:
 - (a) deposit only *designated material* generated at the *land* into a designated *approved household waste bin* to prevent contamination;
 - (b) not place in an *approved household waste bin* anything other than *designated material* which:
 - (i) is wrapped in any manner necessary to render it inoffensive and prevent the protrusion of sharp objects;
 - (ii) is appropriately wrapped and bagged to prevent being caught by wind during the process of emptying the *approved household waste bin*; and
 - (iii) is contained in any other manner approved by *Council* or an *Authorised Officer*;
 - (c) not place any items in the *approved household waste bin* which are likely to damage the bin or the collection vehicle;
 - (d) not place any *hazardous substance* in an *approved household waste bin*;
 - (e) not place an *approved household waste bin* out more than one day before the collection day or leave the *approved household waste bin* out beyond the end of the day after the collection day;
 - (f) not place out for collection any *approved household waste bin*, except in accordance with any requirements *prescribed* by *Council* or determined in accordance with this Local Law;
 - (g) upon being directed to do so by *Council* or an *Authorised Officer*, remove or cause to be removed from the *approved household waste bin* any material deposited or caused to be deposited in contravention of Clause 33(2)(b); and
 - (h) not deposit any *designated material* generated at the *land* into a *street litter bin*.
- (3) The *occupier of land* must not without the consent of *Council* or an *Authorised Officer*, place more than the permitted number of approved *household waste bin* out for collection and must ensure that the *approved household waste bin*:
 - (a) is positioned on the nature strip or footpath adjacent to the kerb, or in any other manner directed by *Council* or an *Authorised Officer* from time to time;

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- (b) does not exceed the maximum gross weight determined by *Council* or an *Authorised Officer* from time to time for the purposes of this clause; and
 - (c) is closed to prevent anything placed in the *approved household waste bin* from escaping.
- (4) The *occupier of land* must:
- (a) keep an *approved household waste bin*:
 - (i) in good order;
 - (ii) in a clean inoffensive and sanitary condition; and
 - (iii) to the satisfaction of *Council* or an *Authorised Officer*;
 - (b) ensure that an *approved household waste bin* is capable of being closed to prevent the contents of the *approved household waste bin* from escaping; and
 - (c) maintain the site on which an *approved household waste bin* is located and the location where it is placed for collection in a clean, inoffensive, and sanitary condition.
- (5) The *occupier of land* must immediately notify *Council* if their *approved household waste bin* develops a defect, is destroyed or damaged, or is lost or stolen.

34. Waste Collection

- (1) A *person* must not place, or cause or allow to be placed, any thing (other than an *approved household waste bin*) on a nature strip or other part of a *road*, except for the purposes of a waste collection service provided by *Council*.
- (2) A *person* must not, without the consent of the *occupier* who placed a thing on a nature strip or other part of a *road* for the purpose of a waste collection service, or the consent of *Council* or an *Authorised Officer*, remove or interfere with any thing left for collection under Clause 34(1).

35. Bulk Rubbish Containers

- (1) A *person* must not, without a permit, place a bulk rubbish container on a *road* or *Council* land.

36. Trade Waste Bin

- (1) The occupier of a commercial or industrial premises must provide a container for the storage of trade waste which is:
 - (a) constructed of impervious materials, watertight and pest proof;
 - (b) emptied before it overflows;
 - (c) removed from any *public place* immediately after the container is emptied; and
 - (d) maintained and kept in a clean condition and free from offensive odours.

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(2) A person must not place a *trade waste bin* on a *road* for longer than is practically required for the emptying of the *trade waste bin*.

(3) A person must not cause any –

- (a) obstruction; or
- (b) danger –

to any person on a *road* when placing a *trade waste bin* on a *road* to be emptied.

(4) A person who has placed a *trade waste bin* on a *road* must repair any damage to the *road* or any works in the *road*, including a vehicle crossing, that results from placing the *trade waste bin* on the *road* or emptying it.

(5) The occupier of a commercial or industrial premises must not deposit *trade waste* into an approved household waste bin or a street litter bin.

PART 5 – COUNCIL LAND

DIVISION 1 - BEHAVIOUR

37. Behaviour on Roads and Council Land

(1) A person must not:

- (a) create a nuisance on a *road* or *Council land*;
- (b) act in a manner that is likely to interfere with the reasonable use and enjoyment of a *road* or *Council land* by other persons;
- (c) act in a manner which endangers any other person on a *road* or *Council land*;
- (d) use indecent, insulting, offensive or abusive language on a *road* or *Council land*;
- (e) behave in an indecent, offensive, insulting, or riotous manner on a *road* or *Council land*;
- (f) bring onto *Council land* any substance, liquid or powder which may:
 - (i) be dangerous or injurious to health;
 - (ii) have the potential to foul, pollute or soil any part of the *Council land*; or
 - (iii) cause discomfort to any person
 without the consent of *Council* or an *Authorised Officer*;
- (g) organise, conduct, or hold any function or event on a *road* or *Council land* without the consent of *Council* or an *Authorised Officer* or a *Council* staff member;
- (h) act contrary to any restriction, prohibition or direction contained on a sign on a *road* or *Council land*;
- (i) erect, operate or cause to be erected or operated any amusement, without a permit, on a *road* or *Council land*;
- (j) destroy, damage, interfere with or deface Council Land or anything located there, without the written consent of the Council,
- (k) Destroy, damage, interfere with or deface a Council sign,

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- (l) act in a manner contrary to any restriction, prohibition or direction contained in the inscription on a sign on Council land,
- (m) obstruct, hinder, or interfere with a *Council* staff member in the performance of their duties on a *road* or *Council land*;
- (n) act contrary to any reasonable direction of an *Authorised Officer* or *Council* staff member given on a *road* or *Council land*, including, without limitation, a direction to leave the *road* or *Council land*, whether or not a fee for admission has been paid;
- (o) use or interfere with any lifesaving or emergency device located on a *road* or *Council land*, unless using the device in an emergency or participating in instruction or maintenance approved by *Council*;
- (p) make any wager for money or engage in any form of gambling, without a *permit*, on a *road* or *Council land*;
- (q) remain in a *municipal place* while under the influence of alcohol or any prohibited drug; or
- (r) remain on a *road* or *Council land* after being directed to leave by an *Authorised Officer* or a *Council* staff member.

38. Access to a Municipal Place

- (1) *Council* or an *Authorised Officer* or a *Council* staff member may determine the hours when any *municipal place* will be open to the public.
- (2) A *person* must not, without the consent of *Council* or an *Authorised Officer* or a *Council* staff member:
 - i. act contrary to any conditions of entry or membership applicable to a *municipal place*;
 - ii. enter or remain in a *municipal place* after being directed to leave by an *Authorised Officer* or a *Council* staff member, or contractor
 - iii. enter or remain in a *municipal place* during hours when the *municipal place* is not open to the public;
 - iv. bring any **animal** into, or allow any **animal** under their control to remain in a *municipal place*, except for an *assistance dog* being used by that person; or
 - v. bring any *vehicle* or *toy vehicle* into a *municipal place*, except for:
 - (i) a pram or pusher being used by a child; or
 - (ii) a wheelchair being used by a person living with a disability
- (3) A *person* must not act contrary to any reasonable direction of an *Authorised Officer* or a *Council* staff member given in or on a *municipal place*.

39. Smoking in a Smoke Free Area or at a Smoke Free Event

- (1) A *person* must not *smoke* a *tobacco product* in a *smoke free area* or at a *smoke free event*.
- (2) Where an *Authorised Officer* believes on reasonable grounds that a *person* is contravening or has contravened Clause 39(1), the *Authorised Officer* may direct the *person* to extinguish and then dispose of the *tobacco product*.

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- (3) A *person* to whom a direction is given under Clause 39(2) must comply with that direction.
 - (4) Council may prescribe any area within the *Municipal District* to be a *smoke free area*.
 - (5) Council may prescribe, or an *Authorised Officer* may determine, any *event* within the *Municipal District* to be a *smoke free event*.
 - (6) Council or an *Authorised Officer* may erect, or cause to be erected, an **acceptable no smoking sign** in a *smoke free area* or at a *smoke free event*.

40. Smoking on Council Land

- (1) A person must not smoke:
 - (a) inside a building on Council land; or
 - (b) on Council land within ten (10) metres of the entrance to a building owned, occupied, or vested in Council or in respect of which Council has the care and management thereof.
- (2) Where an *Authorised Officer* believes on reasonable grounds that a person is contravening or has contravened Clause 40(1), the *Authorised Officer* may direct the person to extinguish and then dispose of the tobacco product.
- (3) A person to whom a direction is given under Clause 40(2) must comply with that direction.
- (4) Council or an *Authorised Officer* may erect, or cause to be erected, an **acceptable no smoking sign** on Council land.

41. Council Sign

- (1) A person must comply with any sign erected or installed by or on behalf of Council on a road or Council land or in a municipal place.

42. Activities in or on a Reserve

- (1) A *person* must not, without a *permit* or written *Council* approval, in or on any *reserve*
 - (a) use, ride, drive or park a *vehicle*, except on a signed or dedicated path or laneway reserved for such a *vehicle*;
 - (b) play, engage in or practise any game or sport, whether or not in accordance with a *permit* issued under this Local Law, in a manner that is:
 - (i) dangerous to any other *person*; or
 - (ii) likely to interfere with the reasonable use or enjoyment of any other *person*;
 - (c) play or practise golf unless designated or set aside as a golf course;
 - (d) use any children's playground equipment other than for the purpose for which it was designed,
 - (e) conduct any fitness training or health and wellbeing activity for commercial purposes; or

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- (f) enter upon or remain on any area set aside as a playing ground during the course of the sporting match or gathering, unless they are a player or official or a competitor at the sporting match or gathering,
- (g) undertake any fishing activity
- (h) drive any vehicle in a manner that is:
 - i. dangerous to any other person in the municipal reserve; or
 - ii. likely to interfere with the reasonable use and enjoyment of the municipal reserve by any other person;
- (i) park any vehicle in contravention of any parking restrictions that apply in that municipal reserve.
- (j) park or drive a vehicle other than in an area set aside for that purpose,
- (k) park or drive a vehicle contrary to a direction on a sign in that Municipal reserve

43. Camping in public places**Explanatory Note**

Darebin City Council publishes guidelines on homelessness, which should be read in conjunction with this clause.

Darebin City Council respects the rights of people who are sleeping rough. This clause is not intended to criminalise homelessness.

- (1) Unless in accordance with a permit, a person must not camp in or on any public place in a vehicle, tent, caravan or any type of temporary or provisional form of accommodation.

DIVISION 2 – VEHICLES**44. Repair of Vehicles**

- (1) A *person* must not, without a *permit*, paint or carry out any repairs or maintenance of a *vehicle* on a *road* or *Council land*, other than to enable it to be moved.

45. Display of Vehicles

- (1) A person must not, without a permit, display a vehicle for sale or hire on a road or Council land.
- (2) Council may grant an exemption from Clause 45(1) to a person or class of persons conducting a business for the sale or hire of vehicles.

46. Storage of Vehicles on Council Land

- (1) A *person* must not, without a *permit*, place or store or allow to be placed or stored a boat, caravan, or trailer in or on *Council land*.

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47. Abandoned, Derelict & Unregistered Vehicles

- (1) A *person* must not park or store an abandoned, derelict, or unregistered *vehicle* or cause or allow such a *vehicle* to be parked or stored on a *road* or *Council land*.
- (2) Any *vehicle* found on a *road* or *Council land* that is considered by an *Authorised Officer* to be abandoned, derelict or unregistered may be dealt with under the provisions of Schedule 11 of *the Act*.

48. Toy Vehicles and Bicycles

A *person* must not on a *road* or *Council land*:

- (1) use, place or leave or allow another *person* to use, place or leave a *toy vehicle* or bicycle in such a manner as to interfere with the passage of, or cause annoyance or danger to, any person on or using the *road* or *Council land*; or
- (2) use or allow another person to use a *toy vehicle* in an area prescribed by *Council* to be a prohibited place for the purpose of this clause.

49. Use of Recreational Vehicles in a Public Place

- (1) A *person* must not, in a *public place*, ride or cause or allow to be ridden any *recreational vehicle*, except where the use is authorised by signs placed on the *land* by *Council* or permitted under an Act or regulation.

50. Behaviour Involving Motor Vehicles

- (1) A person must not participate in, encourage, or attend a hoon event.
- (2) The driver of a vehicle must not stop or park, for the purposes of attending a hoon event, within 200 metres of a motor vehicle involved in a hoon event.

DIVISION 3 – TRADE**51. Itinerant Trading**

- (1) A *person* must not, without a *permit*, *sell*, or cause or allow another person to *sell*, from or on a *road* or *Council land*:
 - (a) any goods or services from a *vehicle*, ***animal***, stall, or other like structure; or
 - (b) any goods or services carried on the *person*.
- (2) A *person* must, in addition to Clause 51(1), comply with any *permit* conditions and additional requirements in *Council's Policy*.

52. Signage

- (1) A *person* must not, without a *permit* or an appropriate licence agreement, place or allow to be placed a *moveable advertising sign* on a *road* or *Council land*.
- (2) A *person* must, in addition to Clause 52(1), comply with any permit conditions and additional requirements in Council's Signage Policy.
- (3) Notwithstanding Clauses 52(1) and (2) above, a *person* is exempt from applying for a *permit* or an appropriate licence agreement to place or allow to be placed a *moveable advertising sign* on a *road* or *Council land* if permitted to do so under *Council's Policy*.
- (4) An ***advertising sign*** must not contain any offensive or inappropriate content.
- (5) A *person* erecting or locating any type of sign described in *Council's Policy* must comply with any additional requirements or conditions in the *Policy* applicable to that sign.

53. Street Furniture and Display of Goods

- (1) A *person* must not, without a *permit* or an appropriate licence agreement, place or allow to be placed *street furniture* or display goods on a *road* or *Council land*.
- (2) A *person* must, in addition to Clause 53(1), comply with any *permit* conditions and additional requirements in *Council's Policy*.
- (3) Notwithstanding Clauses 53(1) and (2) above, a *person* is exempt from applying for a *permit* or an appropriate licence agreement to place or allow to be placed *street furniture* or display goods on a *road* or *Council land* if permitted to do so under Council's *Policy*.

54. Clothing Recycling Bins

- (1) A *person* must not, without a *permit*, place a *clothing recycling bin* on a *road* or *Council land* or *public place*.
- (2) A *person* must, in addition to Clause 54(1), comply with any *permit* conditions and Council's policy relating to *clothing recycling bins*.
- (3) A *person* or holder of a permit to place a *clothing recycling bin* on a *road*, *Council land* or *public place* must not allow items to remain outside the confines of the *clothing recycling bin*.

55. Restrictions on Selling and Displaying Aerosol Spray Paint

- (1) A *person* who as part of their business sells aerosol spray paint:
 - (a) must not give away samples of aerosol spray paint to a person under eighteen (18) years of age; and

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- (b) must ensure that access and availability by any person to aerosol spray paint products, including while they are displayed or stored, is restricted to the seller or an employee of the seller.

56. Shopping Trolleys

- (1) A *person* must not leave a shopping trolley on a *road* or *Council land*, except in the area designated by *Council* for the leaving of shopping trolleys.
- (2) A *retailer* who provides shopping trolleys intended for the use of customers must ensure that each shopping trolley has a locking mechanism attached to it.
- (3) A *retailer* must ensure that all shopping trolleys left outside the retailer's business premises when the business is closed, are secured by whatever means necessary to prevent any shopping trolley being used.
- (4) Clause 56(2) does not apply to a *retailer* who has less than 25 shopping trolleys available for the use of customers.
- (5) A *retailer* may apply in writing to *Council* for an exemption from the application of this provision and *Council* may decide to grant a temporary or permanent exemption.
- (6) *Council* or an *Authorised Officer* or a person engaged by *Council* for this purpose may, on behalf of *Council*, seize and impound any shopping trolley which is being made available for use, or is being used, or has been left on a *road* or on *Council land* in contravention of this Local Law.

57. Street Collection and Distribution

- (1) A *person* must not, without a *permit*, solicit, distribute, or collect any gifts, monies, pamphlets, flyers or subscriptions from a *road* or *Council land*.

Explanatory Note

This section does not intend to criminalise begging

58. Spruiking

- (1) A *person* must not, without a *permit*, spruik, tout, or solicit the sale of any goods or services on a *road* or *Council land* or from any land adjacent to a *road* or *Council land*.

59. Busking, Fundraising and Community Awareness Activities

- (1) A *person* must not, without a *permit* busk, fundraise, or conduct a community awareness activity on a *road* or *Council land*.
- (2) A *person* who has a *permit* to busk, fundraise, or conduct a community awareness activity on a *road* or *Council land* within a shopping precinct set out in Council's *Policy* must only do so in the commercial activity zone as defined in the *Policy*

60. Filming

- (1) A *person* must not, without a *permit*, conduct or allow any filming for commercial purposes on a *road* or *Council land*.

61. Circuses, Carnivals, Festivals or Events

- (1) A *person* must not, without a *permit* or an appropriate licence agreement, hold or allow to be held a circus, carnival, festival, or *event* on *Council land*.

PART 6 - PROTECTION AND MANAGEMENT OF COUNCIL ASSETS AND INFRASTRUCTURE**Explanatory note:**

Clause 8 of this Local Law exempts:

- a) employees of the Council, and
- b) contractors directly engaged by the Council to undertake works or perform a service from the operation of this Part.

62. Maintenance of drains

- (1) The owner or occupier of any land must ensure that any drain on the land or which drains from the land and connects to a drain owned or managed by the Council:
 - (a) is maintained in a condition that is not dangerous to health, unsightly or a nuisance, and
 - (b) is maintained in a working condition.
- (2) The owner of any land that is developed and on which a groundwater pump and filtration system to pump filtered groundwater into the stormwater system operates must, upon being requested by Council to do so, provide Council with evidence that the pump and filtration system have been serviced within the previous 12 months and are operating in accordance with relevant standards.
- (3) An Authorised Officer may direct the owner of land to arrange a suitably qualified person to service and test the ground water pump and filtration system referred to in clause 62 (2), if it has not been serviced within the previous 12 months.
- (4) A failure to comply with a request under clause 61 (2) or a direction under clause 61(3) is an offence.

63. Protection of drains

- (1) A person must not, -
 1. destroy, or
 2. damage, or
 3. tap into,any drain vested in the Council, without a permit.

64. Protection of roads**Explanatory note:**

The term road includes the road reserve, nature strip, footpaths adjacent to a road.
For a full definition of road, see the definitions at Clause 10.

- (1) A person must not
 - (a) occupy or fence off, or
 - (b) erect a hoarding or scaffolding on, or
 - (c) use a mobile crane or travel tower for any work on, or
 - (d) make a hole or excavation in, or
 - (e) fill a hole or excavation in, or

- (f) remove, damage or interfere with a temporary traffic signal, sign, barrier or other structure erected to protect pedestrians or regulate traffic on any road or part of a road under the control of the Council, without a permit.
- (2) Any person that undertakes work on a road or part of a road under the control of the Council, must perform the work to the satisfaction of the Council.
- (3) An Authorised Officer may impound any object or equipment being used in contravention of Clause 64(1) or in contravention of a permit issued under this Local Law.
- (4) The Council may exempt –
 - (a) a person, or
 - (b) a class of persons, or
 - (c) a body corporate from the application of this Clause.
- (5) A person who makes a hole or excavation in a road or part of a road under the control of the Council must ensure that appropriate signs are displayed in accordance with the applicable Australian Standard.

65. Protection of assets and land

- (1) A person must not:
 - (a) damage, interfere with, destroy or deface, or
 - (b) undertake an activity which may damage, interfere with or destroy, or
 - (c) build or fill over, conceal or plant vegetation that may cause damage near a bridge, fence, footpath, nature strip, road, municipal reserve, service conduit, fire plug, hydrant or other asset vested in or under the control of the Council, without a permit.
- (2) The Council may inspect:
 - (a) any connection to a Council asset, or
 - (b) any works undertaken within a road or easement and
 - (c) impose a fee determined in accordance with 84(1) for the connection or inspection.

66. Vehicle crossings

- (1) The owner or occupier of any land must ensure that:
 - (a) each point of vehicle access to that land from a road has a vehicle crossing or laneway access linking that road to the property, constructed to the satisfaction of Council, and
 - (b) no vehicle is allowed to enter or leave the land except by using the vehicle crossing or laneway access referred to in clause 66(1)(a), or in accordance with an Asset Protection Permit issued under clause 68, and
 - (c) a redundant crossing is removed where directed in writing by the Council.
- (2) A person must not permanently or temporarily construct, remove or alter a vehicle crossing:
 - (a) without a planning permit issued in accordance with the Planning and Environment Act 1987, or
 - (b) Without an Asset Protection Permit issued in accordance with clause 68, or
 - (c) in accordance with a permit or written consent provided by the Council.
- (3) A person who fails to comply with Clause 66 (1) is guilty of an offence and must repair any

damage caused to the asset or if the Council elects, pay to the Council the actual or reasonable estimated cost of repairing the damage.

- (4) Any work in respect of an asset must be performed to the satisfaction of the Council.

67. Spoil on roads

- (1) A person must not allow any soil, earth, mud, clay, liquid waste or like substance to fall or escape onto a road from any vehicle which they are driving, or from any equipment which they are operating in the course of any trade, industry or commercial undertaking.
- (2) A person must not allow any grease, oil, mud, clay or like substance to run off a motor vehicle that they are cleaning in the course of any trade, industry or commercial undertaking onto a road, or into a drain.
- (3) A person must remove any soil, earth, mud, clay, or excrement deposited on a road by any **animals** under their effective control.

68. Asset protection permits

- (1) On the payment of an application fee determined in accordance with clause 84(1) of this Local Law, the Council may issue an Asset Protection Permit in respect of any land where building work is to be carried out.
- (2) A person must not commence any building work without having an Asset Protection Permit issued in respect of the building work.
- (3) A person must comply with any condition on an Asset Protection Permit.
- (4) An Asset Protection Permit may allow a person to enter land from a road other than by a permanently constructed vehicle crossing whether or not public assets or infrastructure are likely to be damaged.
- (5) The Asset Protection Permit may be subject to such conditions as Council determines, including (but not limited to):
- (a) requiring protection works to be done, or
 - (b) requiring the payment of an Asset Protection Bond, or
 - (c) requiring the erection of temporary fencing to the satisfaction of Council, or
 - (d) requiring that any public asset or infrastructure damage be repaired,
 - (e) replaced or reinstated within a specified time.
- (6) Unless it is renewed sooner, an Asset Protection Permit expires on the date specified in the permit and if not specified, 12 months after the date of its issue.
- (7) The owner, builder or appointed agent must:
- (a) notify Council in writing, of proposed building work at least 7 days before building work commences, and
 - (b) provide Council with notice in writing of any prior damage to any road (including a road reserve, footpath or nature strip), or other asset at least 7 days prior to the commencement of any building work or the delivery of any equipment or building materials.

Explanatory note:

The owner, builder or appointed agent must notify the Council in accordance with Clause 68 (7), regardless of whether a building permit has been issued.

- (8) The owner, builder or appointed agent responsible for building work must repair or reinstate any damaged road, drain, nature strip, kerb, channel, vehicle crossing or other assets vested

in Council adjacent to the land where the building work takes place or which is otherwise affected by the building work, and any repair work must be performed to the satisfaction of the Council.

- (9) The amount of any Asset Protection Bond required under clause 68(5)(b) may be determined by resolution of the Council, and may take into account:
- (a) the type, size and nature of the building work being undertaken, and
 - (b) the total building cost of the work being undertaken, and
 - (c) the likely impact of the proposed building on assets and infrastructure in the vicinity, and any other factor.
- (10) The permit holder must notify Council within 7 days upon the completion of building work the subject of the Asset Protection Permit.
- (11) Upon notification by the permit holder of the completion of the building work the subject of the Asset Protection Permit, Council will inspect Council's assets to determine if any damage has been caused as a result of the execution of the building work the subject of the Asset Protection Permit and may:
- (a) refund to the permit holder, upon Council's satisfaction that no damage has been caused to Council's assets, or that any damage caused to Council assets has been repaired to Council's satisfaction, the Asset Protection Bond; or
 - (b) retain all or part of the Asset Protection Bond to offset all or part of the costs of repairing any damage, or
 - (c) refund to the person who lodged the Asset Protection Bond, upon Council's satisfaction that no damage has been caused, or that any damage caused has been repaired to Council's satisfaction.
- (12) For purposes of determining whether any damage to public assets has resulted from the execution of any building work on a property, failure to provide notice under clause 68(7)(b) is prima facie proof that there was no existing damage to such assets prior to the building work taking place.
- (13) The Council may accept an alternative form of security to an Asset Protection Bond.
- (14) Without limiting the operation of this clause, where the permit holder has caused damage to assets vested in Council, and the cost to repair the damage exceeds the amount of the Asset Protection Bond paid in respect of the building work associated with the damage, Council may bring proceedings against the permit holder to recover the cost of the damage which is in excess of the amount of the Asset Protection Bond.
- (15) An Asset Protection Permit may be cancelled if an owner, builder or appointed agent is found guilty of an offence arising from a failure to comply with this Local Law.

69. Identifying damage to Council assets

- (1) Inspections of any Council assets, whether on private or public land, may be conducted at any reasonable time.
- (2) If Council identifies any damage that appears to result from non-compliance with this Local Law, an Authorised Officer may give a notice to comply to any person to reinstate the asset or repair any damage within a specified time.
- (3) An Authorised Officer may serve the responsible party with a notice to comply under Clause 69(2), specifying:
 - (a) the time and date that the damage was observed, and
 - (b) a description of the damage to be repaired, and
 - (c) the date that the repair must be completed by (which must not be less
 - (d) than 28 days from the date of the notice).

PART 7 - Requirements of building sites**70. Stormwater protection**

- (1) Where any building work is being carried out on any land, the owner, builder or appointed agent must ensure that the site is developed and managed to minimise the risks of stormwater pollution, through the contamination of run-off by chemicals, sediments, **animal** wastes or gross pollutants, including (but not limited to) measures to:
 - (a) minimise the amount of mud, dirt, sand, soil or stones deposited on the abutting roads (including a road reserve, footpath or nature strip), or washed into the stormwater system, and
 - (b) prevent building clean-up, wash-down or other wastes being discharged offsite or allowed to enter the stormwater system.

71. Containment of refuse

- (1) Prior to the commencement of any building work and continuing until the completion of the building work, the owner, builder or appointed agent:
 - (a) must provide a closed facility for the purpose of disposal of builders' refuse that may be wind-blown, and
 - (b) must place the facility on the land and keep it in place (except for such periods as are necessary to empty the facility), and
 - (c) must not place the facility on any Council land or road (including a road reserve, footpath or nature strip), without a permit, and
 - (d) must empty the facility whenever full and, if necessary, provide a replacement facility during the emptying process, and
 - (e) must prevent mud and dirt being carried out by vehicles from the building site onto adjoining roads (including a road reserve, footpath or nature strip), and
 - (f) must ensure that any abutting nature strip remains tidy, and
 - (g) must ensure that no materials, vehicles or items are placed on nature strips or other Council land, without a permit; and
 - (h) must ensure that any footpath adjacent to the land affected by the building work, is kept clear of mud and dirt at all times.
- (2) For the purpose of Part 7, facility means a suitable receptacle for builders' refuse, capable of restricting debris and waste from leaving the building site.
- (3) The Council may exempt:
 - (a) a person
 - (b) a class of persons, or
 - (c) a body corporate
 - (d) from the application of this clause.

72. Disposal of builders' refuse

Prior to the commencement of any building work and continuing until the completion of the building work, the owner, builder or appointed agent must:

- (1) ensure that all builders' refuse which is capable of being carried by wind is placed in the facility referred to in clause 71(1)(a), and
- (2) ensure that builders' refuse that is not placed in the facility referred to in clause 71(1)(a) is not deposited on any land other than the building site directly under their control, and
- (3) ensure that builders' refuse is not deposited in or over any part of the stormwater system.

73. Removal of builders' refuse

- (1) An owner, builder or appointed agent must remove all builders' refuse from a site where building work is undertaken, within 21 days of the completion of building work.

Explanatory note:

Clause 10 defines what the phrase completion of building work means.

74. Building site fencing

- (1) An owner, builder or appointed agent engaged in building work must ensure that the site has adequate site fencing that complies with clause 74 (2).
- (2) For the purposes of Clause 74(1), adequate site fencing means fences or gates of a temporary or permanent nature, that:
- i. extends to a height of not less than 1500mm, and
 - ii. is capable of preventing litter and builders' refuse from being blown from a building site by wind, and
 - iii. has only one vehicle access opening that:
 1. has a width of no greater than 2800mm, and
 2. fitted with a gate with a height of not less than 1500mm which prevents litter from being blown from a building site by wind, and
 3. which is located to correspond with a vehicle crossing referable to the building site, and
 4. does not obstruct or encroach upon any road (including a road reserve, footpath or nature strip), and
 5. is sufficiently secure to withstand strong winds, and
 6. otherwise does not pose a risk to persons, property, vehicles or assets in the vicinity.

75. Sanitary facilities on building sites

- (1) Prior to the commencement of any building work, and continuing to the completion of building work, the owner, builder or appointed agent must provide a sewerer toilet or a fresh water flushing portable toilet and ensure that it is serviced and available for the use of the persons on that site, to the satisfaction of an Authorised Officer.
- (2) Notwithstanding clause 75(1) an owner, builder or appointed agent may provide a sewerer toilet or a fresh water flushing portable toilet on an adjacent site under the control of the owner, builder or appointed agent, provided that:
- (i) no more than 3 adjacent building sites rely on the same sewerer toilet or fresh water flushing toilet, and
 - (ii) access to the sewerer toilet or fresh water flushing toilet is available for any person working on all three adjoining sites.
- (3) The owner, builder or appointed agent must advise Council within 7 days of the installation of a sewerer toilet and obtain Council written consent prior to removing a portable toilet from the site.

76. Identification of building sites

- (1) Prior to the commencement of any building work and continuing to the completion of building work, the owner, builder or appointed agent must erect and maintain a sign at the main entrance of the building site which:

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- (a) is at least 600 millimetres in height and 400 millimetres in width, and
 - (b) is placed in such a location as to be clearly visible and legible from the road, and
 - (c) contains the lot number of the site as described in the relevant certificate of title, and
 - (d) identifies the name, postal address and a business hours contact telephone number or numbers of the person in charge of the building work, and
 - (e) identifies the Asset Protection Permit number applicable to the building work.
- (2) If, prior to the completion of the building work, there is a change of builder, the owner must, within seven days of that change:
- (a) give written notice to the Council, and
 - (b) cause any sign erected in accordance with clause 76(1) to be replaced or amended so that the identification of the name, postal address and
 - (c) contact number or numbers of the person in charge of the building work is correct and up-to-date.
- (3) The notice under clause 76(2)(a) must specify the date of the change of builder and be signed by the owner, and the new builder.
- (4) From the date of receipt of the notice under clause 76(2)(a), the new builder specified in the notice is deemed to be the builder for the purposes of this Local Law.
- (5) Despite any rule of evidence, the inclusion of a person's name on a sign erected in accordance with clause 76(1), is prima facie proof that the person named is responsible for building works on the site within the meaning of this Local Law, unless the contrary is proven.

77. Building site work hours

- (1) A person must not without a permit carry out any building work outside of the **building site work hours**.
- (2) An owner or occupier of land must not allow any person without a permit to carry out any building work on that land outside of the building site work hours.

PART 8 - ADMINISTRATION**78. Exercise of Discretion**

In exercising any discretion contained in this Local Law, *Council* and an *Authorised Officer* must have regard to:

- (a) the objectives of this Local Law; and
- (b) any other relevant matter.

79. Impounding

- (1) An Authorised Officer may seize and impound a thing which has been or is being used or possessed in contravention of this Local Law.
- (2) Where a thing has been impounded under this Local Law, Council or an Authorised Officer must, if it is practicable to do so, serve notice of the impounding personally or by registered mail on the person who appears to be the owner of the impounded thing.
- (3) If the identity or whereabouts of the owner of a thing impounded under this Local Law is unknown, the Authorised Officer must take reasonable steps to ascertain the owner's identity or whereabouts prior to exercising their powers under Clause 80.
- (4) An impounded thing must be surrendered to –
 - i. its owner; or

- ii. a person acting on behalf of its owner who provides evidence to the satisfaction of an *Authorised Officer* of their authority from the owner and on:
- iii. evidence to the satisfaction of the *Authorised Officer* being provided of the owner's right to the thing; and
- iv. payment of any fee and reasonable costs of impounding determined by *Council* or an *Authorised Officer*.
- v. Clause 80(4) does not apply where the impounded thing cannot be kept or possessed in accordance with this Local Law or any Act or regulation.

80. Disposal

- (1) An *Authorised Officer* may sell, destroy, dispose of, or give away anything impounded under the provisions of this Local Law if:
 - i. the impounded thing has not been surrendered to the owner or a person acting on the owner's behalf within fourteen (14) days of service of the notice of impounding;
 - ii. the owner of the thing or a person acting on the owner's behalf has not paid the fee and reasonable costs of impounding determined by *Council* or an *Authorised Officer* within fourteen (14) days of service of the notice of impounding; or
 - iii. no notice of impounding has been able to be served on the owner of the impounded thing.
- (2) If the impounded thing is perishable and will not survive the period specified in Clause 81(1), the *Authorised Officer* may dispose of the thing sooner.
- (3) *Council* is entitled to retain the proceeds of sale of any impounded thing towards its reasonable costs incurred in impounding, keeping, and selling the thing.

81. Permits

- (1) An application for a permit under this Local Law must be –
 - i. submitted in a form approved by Council or an *Authorised Officer*; and
 - ii. accompanied by the fee prescribed by Council, unless waived by Council or an *Authorised Officer*, with or without conditions.
- (2) Council or an *Authorised Officer* may require an applicant for a permit to supply more information before Council or the *Authorised Officer* deals with the permit application, or to give notice of the application in a manner specified from time to time by Council or an *Authorised Officer*.
- (3) *Council* or an *Authorised Officer* may in their absolute discretion decide –
 - (a) to grant a *permit* with or without conditions; or
 - (b) to refuse a *permit*.
- (4) Council or an *Authorised Officer* may cancel a permit if:
 - (a) there has been a serious or ongoing breach of the conditions of the *permit*;
 - (b) a Notice to Comply has been issued, but not complied with within seven (7) days after the time specified in the Notice to Comply;

- (c) there was a material error or misrepresentation in the application for the *permit*;
 - (d) there has been a material error in relation to the issue of the *permit*; or
 - (e) there has been a material change of circumstances which has occurred since the issue of the *permit*.
- (5) *Council* or an *Authorised Officer* may correct a *permit* if that *permit* contains:
- (a) an unintentional error or an omission; or
 - (b) a material miscalculation of figures or a material mistake in the description of a person, thing, or property referred to in the *permit*.
- (6) Before cancelling or correcting a *permit* under Clauses 82(4) or (5), *Council* or an *Authorised Officer* must provide the *permit* holder an opportunity to make written submissions on the proposed cancellation or correction.
- (7) *Council* may exempt a person or class of persons from the requirement to obtain a *permit* under this Local Law.
- (8) Except where expressly stated in this Local Law or in a *permit*, a *permit* expires one (1) year after the date of issue.
- (9) *Council* must keep a register of permits and any correction or cancellation of a *permit* must be noted in this register.
- (10) The holder of a *permit* issued under this Local Law must comply with all *permit* conditions and any requirements in a *Council* policy applicable to that *permit*.
- (11) A *person* must not make a false representation or declaration, or intentionally omit material information in an application for a *permit* or *permit* exemption.

82. Delegation

- (1) Pursuant to section 78(c) of *the Act*, Council delegates all its powers, functions and duties under this Local Law to the person holding the position of Chief Executive Officer.
- (2) Pursuant to section 78(d) of *the Act*, Council authorises the person holding the position of Chief Executive Officer to delegate a power, function or duty referred to in clause 85(1) to the holder of an office or position as a member of Council staff.

83. Determining Fees and Charges

- (1) Council may from time to time, by resolution, determine the fees and charges to apply under this Local Law, which may include an administrative or processing fee or charge, and Council must give reasonable public notice of its resolution to determine or alter fees and charges.
- (2) In determining any fees and charges, Council may establish a system or structure of fees and charges, including a minimum or maximum fee or charge, if it considers it is appropriate to do so.
- (3) Council may waive, reduce or alter any fee, charge, bond, guarantee or payment applying under this Local Law, with or without conditions.

PART 9 - ENFORCEMENT**84. Notice to Comply and Verbal Direction**

- (1) An *Authorised Officer*, who reasonably believes that a person has contravened any provision of this Local Law, may give a verbal direction to and/or serve a Notice to Comply on a person to do a thing or carry out work to remedy the thing, which constitutes a contravention under this Local Law.
- (2) A verbal direction given or a Notice to Comply issued in accordance with this Local Law must state the time and date by which the thing must be done or the work carried out.
- (3) The time required by a verbal direction given or Notice to Comply served under this Local Law must be reasonable in the circumstances, having regard to:
 - (a) the amount of work involved;
 - (b) the degree of difficulty;
 - (c) the availability of necessary materials or other necessary items;
 - (d) climatic conditions;
 - (e) the degree of risk or potential risk; and
 - (f) any other relevant matter.
- (4) If a *person* who was given a verbal direction or served with a Notice to Comply, fails to carry out any work or remedy anything stipulated in the verbal direction or Notice to Comply, *Council* or the *Authorised Officer* may approve the carrying out of the work by another person or carry out the work itself and recover the cost of performing the work from the *person* who failed to carry out the work.
- (5) A *person* may make representations, within ten (10) days after being given a verbal direction or served with a Notice to Comply, to *Council* or the *Authorised Officer* about matters contained in the verbal direction or Notice to Comply, but nothing in this right or the exercise of this right relieves the person from complying with the verbal direction or Notice to Comply unless the *Authorised Officer* who issued the verbal direction or Notice to Comply otherwise directs.

85. Power to Act in Urgent Circumstances

- (1) *Council* or an *Authorised Officer* may, where an owner, *occupier*, *builder*, or other relevant *person* has failed to comply with any requirement of this Local Law, take action considered necessary to prevent any danger to the environment or any nuisance arising, provided that:
 - (a) *Council* or an *Authorised Officer* considers the circumstances to be sufficiently urgent and that the time necessary, or potential difficulty in serving a Notice to Comply, may place a person, **animal**, property, or the environment at risk or in danger of substantial detrimental effect; and
 - (b) the *Chief Executive Officer* of the *Council* or their delegate, not being the Council Officer administering this clause, approves of the proposed action; and
 - (c) details of the circumstances and of the remedial action taken are as soon as practicable forwarded to the owner, *occupier*, *builder*, or other relevant *person*.
- (2) Action taken by *Council* or an *Authorised Officer* under this clause shall not extend beyond what is necessary to cause the immediate abatement or minimisation of the risk or danger involved.

- (3) Where *Council* undertakes work in accordance with this section, it may recover the cost of performing the work from the owner, *occupier*, *builder*, appointed agent or responsible person.

86. Offences and Penalties

A person who:

- (1) contravenes or fails to comply with any provision under this Local Law;
- (2) contravenes or fails to comply with any condition contained in a *permit* issued under this Local Law or any requirements in the *Council* policy applicable to that *permit*; or
- (3) contravenes or fails to comply with a verbal direction or Notice to Comply by the date specified in the verbal direction or Notice to Comply

is guilty of an offence and is liable to a penalty of:

- (a) twenty (20) penalty units; and
- (b) a further penalty of one (1) penalty unit for each day during which the contravention continues.

87. Offences by Corporations

- (1) If a person charged with an offence against this Local Law is a corporation, any person who is concerned or takes part in the management of that corporation may be charged with the same offence.
- (2) If the corporation is found guilty of an offence against this Local Law, a person charged with the same offence may also be found guilty of that same offence and is liable to the penalty for that offence, unless that person proves that the act or omission constituting the offence took place without their knowledge or consent.

88. Operator Onus Offence

- (1) If the operator of a motor vehicle that is used in the commission of an offence under this Local Law cannot be found or it is impracticable to charge the operator with an offence, the registered owner of that motor vehicle, is guilty of that offence.

89. Infringement Notices

- (1) If an *Authorised Officer* believes on reasonable grounds that a *person* is contravening or has contravened any provision under this Local Law, the *Authorised Officer* may, as an alternative to a prosecution for an offence, serve on that *person* an *Infringement Notice*.
- (2) The penalties fixed for *Infringement Notices* are set out in Schedule 1.

90. Guidelines

- (1) The Council may from time to time, make guidelines for the purposes of this Local Law.

SCHEDULE 1

PENALTIES FOR INFRINGEMENT NOTICES

Clause	Topic	Penalty Unit
	Part 2 Your Property	
11	Unsightly land	2
12	Dilapidated building	5
13	Dangerous land	5
14	Overhanging Obstruction or Vegetation	2
15	Shipping containers	2
16	Numbering properties	1
17	Oversize vehicles	2
18	Camping on private land	2
19	Use of Recreational vehicles on private land	2
20	Lights	2
21	Incinerators, Fires and open-air burning	5
22	Direction to Extinguish Fires	5
23	Restriction on burning in the open air in Public Places and on Council Land	5
24	Unreasonable Noise	2
25	Audible Intruder Alarm	2
	Part 3 Animals	
26	Keeping of animals generally	2
27	Responsible Breeding of Dogs and Cats	2
28	Keeping Animals	2
29	Animal Waste	2
30	Animal noise	1
31	Feeding of Animals	1
32	Wasps and Bees	1
	Part 4 Waste	
33	Approved Household Waste Bin	1
34	Waste Collection	1
35	Bulk Rubbish Containers	2
36	Trade Waste Bin	2

SCHEDULE 1

PENALTIES FOR INFRINGEMENT NOTICES
(CONT'D)

Clause	Topic	Penalty Unit
	Part 5 Council Land Division 1 – Behaviour	
37	Behaviour on roads and Council land	2
38	Access to Municipal Place	2
39	Smoking in a Smoke Free Area or at a Smoke Free Event	2
40	Smoking on Council land	2
41	Council sign	2
42	Activities in or on a Reserve	2
43	Camping on Council land	2
	Division 2 – Vehicles	
44	Repair of Vehicles	2
45	Display of Vehicles	2
46	Storage on Council land	2
47	Abandoned, Derelict & Unregistered Vehicles	2
48	Toy Vehicles and Bicycles	1
49	Use of Recreational Vehicles in a Public Place	2
50	Behaviour Involving Motor Vehicles	5
	Division 3 Trade	
51	Itinerant Trading	3
52	Signage	1
53	Street Furniture and Display of Goods	2
54	Clothing Recycling Bin	1
55	Restrictions on selling and displaying Aerosol Spray Paint	2
56	Shopping Trolleys	2
57	Street Collection and Distribution	1
58	Spruiking	1
59	Busking, Fundraising and Community Awareness Activities	1
60	Filming	5
61	Circuses, Carnivals, Festivals and Events	5
	Part 6 Asset Protection	
62	Maintenance of Drains	5
63	Protection of Drains	
64	Protection of Roads	5
65	Protection of Assets and Land	5
66	Vehicle Crossings	5
67	Spoil on Roads	5
68	Asset Protection Permit	8
69	Identifying damage to Council Assets	5
	Part 7 Requirements of Building Sites	
70	Stormwater Protection	5
71	Containment of Refuse	5
72	Disposal of Builders Refuse	5
73	Removal of Builders Refuse	5
74	Building Site Fencing	5

Community Amenity Local Law – 2022		Schedule 1
75	Sanitary Facilities on Building Sites	5
76	Identification of Building Sites	5
77	Building Site Work Hours	5
	Any offence not referred to elsewhere in this table	2

Consultation Draft



What makes a better practice local law?

- necessary
- consistent (in language and effect)
- compliant (with the legislation under which they are made and other legislative requirements)
- enforceable
- accessible
- efficient
- accountable
- transparent
- current



Local Law Principles

Necessary

- Must be needed – address a clear and apparent need
- Needed because no other controls apply

Compliant

Must comply with 'the Act' including –

- Not be inconsistent with any Act, including the Charter of Human Rights and Responsibilities Act 2006
- Must not duplicate or be inconsistent with the planning scheme
- Must not exceed the power conferred by the Act
- Must not seek to be retrospective
- Must not impose any tax, fee, fine, imprisonment or other penalty unless there is clear and express power to do so



Local Law Principles

Consistent (in language and affect)

- Ensuring that the local law is consistent in its approach to matters, language is the same across the document, but also what is generally accepted across LGA's

Accessible

- In its language, using plain language where possible, easy to read, clearly set out and widely available for reference and consumption
- Should avoid the use of guidelines where possible
- Avoid using catch all provisions i.e failure to comply with a sign



Local Law Principles

Enforceable

- Able to actively be enforced, both by the substance of the wording, but also within the Councils resources.

ie – banning sale of Glyphosates – would this be a ban on sale? How about online sales? Cross boarder sales? Ban on owning glyphosates – how would officers determine a liquid is glyphosate?

Transparent

- We should be clear in what we are asking people to do or not do, as much as possible.



Local Law Principles

Current

- Should be modern, and plan not just for the now, but for at least 10 years. Should seek to control modern and emerging issues in a modern way

Efficient

- Less is more – only have laws which are required, not superfluous and do what it needs to do.

9.7 AMENDMENT C210DARE - CONSIDERATION OF PANEL REPORT AND ADOPTION**Author:** Strategic Planner**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

Planning Scheme Amendment C210dare is a planning scheme amendment that seeks to increase Darebin's open space contributions revenue. The amendment will do this by removing the existing contribution rates of 2%, 3% and 4% for smaller subdivisions that create two, three and four additional lots and instead, enable up to a 5% contribution for these types of subdivisions under the State standard provisions of the *Subdivision Act 1988*. The mandatory 5% contribution rate for the creation of five additional lots or more will remain.

It is estimated that this change could increase Darebin's open space contributions revenue by up to \$2.5 million per year.

Amendment C210dare was exhibited between 22 February 2024 and 22 March 2024, and seven (7) submissions were received through this process: two supportive, three neutral and two requesting changes to the amendment. On 22 July 2024, Council resolved to refer all submissions to an independent planning panel for consideration.

A Panel Hearing was held on 16 September 2024 and the panel's report (**Appendix A**) was provided to officers on 24 September. The panel found the amendment to be strategically justified, makes the public open space contributions system in Darebin fairer, and should be adopted as exhibited (without changes).

Amendment C210dare is the first step in a two-step process to increase Council's open space contributions revenue over time to align with the open space needs of our growing community. The second step, which has already commenced, involves a strategic review of Council's open space planning to support a more substantive future change to the open space contribution rate in the Darebin Planning Scheme.

Officers recommend that Council adopt Amendment C210dare as exhibited.

Officer Recommendation

That Council:

- (1) Considers the Amendment C210dare Panel Report (**Appendix A**), pursuant to section 27 of the *Planning and Environment Act 1987*.
- (2) Adopts Amendment C210dare (**Appendix B**) as exhibited in accordance with section 29 of the *Planning and Environment Act 1987*.
- (3) Notes the C210dare Background Report (**Appendix C**), prepared and exhibited in support of Amendment C210dare (in response to conditions of authorisation of the amendment).

- (4) Authorises the Chief Executive Officer to make minor changes to the Amendment documents where these are insubstantial but required for correctness, clarity or the like, including changes after approval of the Amendment by the Minister for Planning to ensure consistency with the approved planning provisions.
 - (5) Submit the adopted Amendment C210dare, together with the prescribed information, to the Minister for Planning for approval pursuant to section 31 of the *Planning and Environment Act 1987*.
 - (6) Writes to all submitters thanking them for their submission and advising them of Council's decision.
-

BACKGROUND / KEY INFORMATION

There is a need for improved open space within Darebin to meet the needs of a growing population (39% projected increase to 2046) and for financial contributions from developers to ensure this need is met in a fair and equitable way. This is reflected in the *Council Plan 2021-2025* with its aim to implement a new open space levy that seeks to improve the quantity and quality of Darebin's open space.

Open space contributions from land developers are enabled through the planning system. However, the current settings in the Darebin Planning Scheme are artificially restrictive, generating revenue that is not commensurate with the cost of providing open space that meets the needs of the future community.

The open space contributions framework

As part of the subdivision of land under both the Subdivision Act and Clause 53.01 of planning schemes, councils may require permit applicants to contribute a percentage of the land for public open space, or pay Council an equivalent value, or a combination of both.

Subdivision Act

Section 18(1) of the *Subdivision Act 1988* (Subdivision Act) provides that Council may require an open space contribution of up to 5% in relation to an application for subdivision, as follows:

A Council acting as a responsible authority or a referral authority under the Planning and Environment Act 1987 may require the applicant who proposes to create any additional separately disposable parcel of land by a plan of subdivision to—

- (a) *Set aside on the plan, for public open space, in a location satisfactory to the Council, a percentage of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- (b) *Pay or agree to pay to the Council a percentage of the site value of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- (c) *Do a combination of (a) and (b) so that the total of the percentages required under (a) and (b) does not exceed 5 per cent of the site value of all the land in the subdivision.*

(underlined for emphasis)

The Darebin Planning Scheme

Clause 53.01 of the Darebin Planning Scheme is a State standard planning provision that allows councils to specify an open space contribution rate instead of relying on the standard provisions of the Subdivision Act which caps contributions at 5%.

At present, the local schedule of Clause 53.01 of the Darebin Planning Scheme specifies an open space levy of between 2% and 5% based on a sliding scale determined by how many additional lots are created (Table 1). In effect, Council has previously established a lower 'ceiling' on contributions than is in operation under the default provisions of the *Subdivision Act* and therefore is artificially constraining its ability to require contributions commensurate with identified public open space needs.

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land that creates:	
1 additional lot	None specified
2 additional lots	2%
3 additional lots	3%
4 additional lots	4%
5 or more additional lots	5%

Table 1: Existing public open space contribution rates

The schedule also allows for areas and land to have a specified rate. Other existing specified rates for certain areas include exemptions for state owned land, and a 10% levy for the Preston Market precinct. This is not changed or introduced by C210dare.

Previous open space amendment

In 2019 Council commenced Planning Scheme Amendment C186dare to increase its open space levy to 10% for all subdivisions, up from the existing sliding scale of 2-5% in the Darebin Planning Scheme. However, uncertainties arising from panel outcomes for similar amendments (Monash C148 & C169, and Yarra C286), undermined the prospect of success and Council resolved not to proceed with C186dare.

As part of the decision to discontinue C186dare, Council endorsed a two-step approach to progressively increase the open space levy rate and address the significant strategic risks that have arisen since 2019:

1. Commence a new amendment to remove content within the schedule to Clause 53.01 and enable Darebin to consider the maximum open space levy contribution rate of 5%.
2. Revise the existing strategic work to develop a longer term (20 years+) open space strategy and associated contribution/funding mechanism to support a new, future amendment which may involve further increasing the open space levy.

This current proposed Amendment C210dare implements the initial step, while work has also commenced to review Council's existing open space strategy (Breathing Space) to support a future more substantive change to the contribution settings.

Amendment C210dare

Proposed Amendment C210dare will remove the sliding scale from the schedule to Clause 53.01 as shown in **Appendix B**, resulting in a default to the provisions of the Subdivision Act for all subdivisions creating less than five (5) additional lots (except for the Preston Market Precinct).

Once in place, Council will apply conditions on subdivision permits which specify a percentage – up to 5% - for an open space contribution for the individual development in accordance with the criteria set out in s18 of the Subdivision Act.

Amendment C210dare has progressed through a standard planning scheme amendment process, including a statutory exhibition period of one month between 22 February 2024 and 22 March 2024.

Seven (7) submissions were received through the exhibition process: two in support, two seeking changes and three neutral.

Submissions seeking changes

Two submissions sought outcomes that would require changes to the amendment.

One submitter, though supportive of the intent to enable up to a 5% contribution, seeks that the amendment include revisions to Council's open space strategy, *Breathing Space*, to address what they see as flawed methodology for assessing open space need and determining the distribution of investment.

Another submitter sought assurance that their current application for subdivision will not be affected by the amendment. This outcome could only be assured through the introduction of exemptions or transitional provisions as part of the amendment.

Neutral submissions

The following topics are raised in neutral submissions to the amendment, which raise other matters not directly related to this amendment:

- Concerns with the administration of open space contribution funds, particularly the use of open space funds to deliver projects such as the Northcote Aquatic and Recreation Centre (NARC).
- Whether the delegated powers of the Darebin Planning Committee enable it to make decisions on planning scheme amendment matters.

Submissions in Support

Of the two submissions in support of the amendment, one provides further information, citing the need for more and better open space in Darebin. This submission also raised concerns with administration of open space contribution funds.

In accordance with sections 22 and 23 of the Planning and Environment Act (the Act) Council considered all submissions made through the exhibition period and resolved to refer submissions to an independent planning panel. The role of the panel, which is appointed by the Minister for Planning, is to consider submissions referred to it and make recommendations to Council about the amendment. The panel provides submitters the opportunity to be heard as part of its proceedings.

Previous Council Resolution

At its meeting held on 22 July 2024, Council resolved:

That Council:

- (1) *Formally considers all written submissions received in response to Amendment C210dare to the Darebin Planning Scheme.*
- (2) *Endorses the officer's response to submissions outlined in this report and attached at Appendix B.*
- (3) *Requests that the Minister for Planning appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider submissions to Amendment C170dare to the Darebin Planning Scheme.*
- (4) *Refers all submissions to the Panel to be appointed by the Minister for Planning.*
- (5) *Writes to all submitters to thank them for their contribution and inform them of Council's decision to proceed to the Panel stage.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.4 We will ensure major changes in our city achieve significant improvements in our City

4.5 We will improve the sustainability, accessibility, and design of development on private land in our city

DISCUSSION

The Panel Hearing for the Amendment was held on 16 September 2024 and was attended by Council officers, Council's advocate and one submitter to the Amendment. The matter was heard for one day with submissions made by both parties.

At the conclusion of the Hearing, the panel prepared a report outlining its findings and recommendations and made this available to Council officers on 24 September 2024. In accordance with Section 26 of the *Planning and Environment Act 1987* (the Act), the report was subsequently published on Council's Your Say web platform.

Panel findings

The key panel findings were that the amendment is strategically justified, makes the public open space contributions system in Darebin fairer, and should be adopted as exhibited (without changes). This is a very favourable panel outcome and provides confidence for Council to proceed with adoption of the amendment.

Below is a summary of the panel's consideration of issues raised in submissions.

Is the Amendment fair?

The panel agreed with Council's submission that the Amendment would result in a fairer system. The existing approach, which imposes a lower contribution rate on smaller subdivisions, no longer has logic in its application, particularly in an established metropolitan setting where there are clear policy drivers for urban intensification and a consequential need for more open space. The panel found that in general, all subdivisions should contribute equally.

Open Space Methodology

The panel considered whether it was confusing for the end user that contributions for small subdivisions are to be collected through the Subdivision Act while contributions for large subdivisions are to be collected via Clause 53.01 of the Planning Scheme.

The Panel noted Council's submissions, including that the existing planning scheme already reverts to the Subdivision Act for some categories of subdivision, and concluded that the proposed approach is appropriate.

(It should also be noted that the planned future amendment will simplify the approach by managing all contributions through a specified levy in the planning scheme).

Level of contribution

The Panel considered whether the maximum open space contribution rate of 5% for smaller subdivisions is appropriate. It noted that submissions to the Amendment generally supported a contribution rate consistent with the maximum that could be levied by under the Subdivision Act. It also noted that 5% is on the lower end of what is charged in comparable municipalities.

The Panel concluded that it is appropriate to enable contributions of up to 5% on all subdivisions and again observed that the current differential in rates between smaller and larger subdivisions is anomalous, meaning *inconsistent with or deviating from what is usual, normal or expected*.

Transitional provisions

One submission to the Amendment raised concerns regarding the application of the Amendment to current permits for development, specifically their own. The consequence being that a development that is currently underway may be liable for a higher open space contribution if its subdivision permit is not issued prior to approval of the Amendment.

In considering this issue, the panel had regard to Council submissions which noted that the amendment process itself is a lengthy one and provides sufficient time for current applications to be resolved prior to changes being implemented.

The panel concluded that transitional provisions should not be included in the amendment.

Other issues

The following other issues raised in submissions were addressed by the panel:

- How and where open space funding is used.
- The soundness of the methodology underpinning Council's existing open space strategy ('Breathing Space').
- Delegation powers of the Planning Committee.

The panel concluded that the first two issues fall outside the scope of the amendment and therefore cannot be considered.

In relation to the delegated powers of the Planning Committee to make decisions on planning scheme amendments, the panel concluded that there was no evidence that appropriate processes were not followed in seeking authorisation or considering submissions to Amendment C210dare.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

If Council is successful at implementing the amendment, it will increase funds available for improvements and/or new open spaces.

Based on analysis of previous applications, Amendment C210dare could result in additional revenue of up to approximately \$2.5 million per annum², assuming a similar rate and type of future development as historical.

As the amendment reverts to discretionary provisions, any contribution rate officers specify is open to challenge through VCAT review. It is possible that Council may see a financial impact associated with resourcing representation at VCAT. This impact will be mitigated by the preparation and routine deployment of a standard response to claims based on existing strategic work which supports contributions greater than 5%.

Community Engagement

Public consultation was undertaken for the planning scheme amendment, in accordance with Council's Community Engagement policy and the requirements of the *Planning and Environment Act 1987*. Specific notice of the Amendment was given to all development permit holders for permits issued over the last five (5) years. Broader notification occurred via Council's online community engagement platform (Yousry), social media and an online information session.

The panel's report was made available for public inspection on Council's YourSay website, and Planning Panels Victoria's website.

Submitters to the Amendment will be notified of the upcoming Council meeting where the panel's report and adoption of the Amendment are considered.

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (d) the municipal community is to be engaged in strategic planning and strategic decision making;
- (g) the ongoing financial viability of the Council is to be ensured;
- (i) the transparency of Council decisions, actions and information is to be ensured.

Strategic Planning Principles

- (b) strategic planning must address the Community Vision;

² Assuming the maximum contribution rate (5%) is imposed across the board

- (c) Strategic planning must take into account the resources needed for effective implementation;
- (d) strategic planning must identify and address the risks to effective implementation;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Pursuing a planning scheme amendment to increase the open space levy will provide a funding mechanism that better reflects actual costs for the provision of required open space within Darebin.

The open space levy will help to mitigate the effects of climate change as the city grows by providing more diverse habitat, shading and open spaces.

Equity, Inclusion, Wellbeing and Human Rights Considerations

There is a clear link between health and wellbeing and access to quality open space. Pursuing an increased open space levy will fund improvements and acquisitions of open spaces.

Council's open space strategy, *Breathing Space*, considers creating spaces for all of Darebin's residents inclusive of culture, gender, sexual orientation, age, socioeconomic condition, disability and includes consideration of equitable access, mobility, amenity and services across the municipality.

Economic Development and Cultural Considerations

The amendment may result in additional costs for development, but not at a level that would be expected to impact viability.

Operational Impacts

Removing the existing mandatory contribution rates and deferring to the guidance of the Subdivision Act 1988 will impact City Development as determination of an appropriate levy will occur on a case-by-case basis during assessment of subdivision applications. The impact is expected to be minimal because the existing strategic work supporting a levy higher than 5% is expected to provide justification to seek a 5% contribution in most cases.

As outlined in the following section, the amendment would allow for challenge of the specified rate through VCAT review. It is possible that Council may see an increase in the proportion of reviewed planning permits and representation, likely by Council officers, on these VCAT review matters would be an additional resource burden. This impact will be mitigated by the preparation and routine deployment of a standard response to claims based on existing strategic work justifying contributions greater than 5%.

Legal and Risk Implications

If Amendment C210dare is approved, and discretionary contribution provisions are enabled, it is possible that developers may in some cases challenge contribution rates required through their subdivision permit.

IMPLEMENTATION ACTIONS




The next steps for Amendment C210dare are as follows:

- Council considers the findings of the Panel report and adoption of the amendment (December 2024)
- Officers submit the amendment to the Minister for Planning for approval (December 2024)
- (If approved) The amendment is gazetted and forms part of the Darebin Planning Scheme (TBC).

RELATED DOCUMENTS

- Breathing Space – The Darebin Open Space Strategy

Attachments

3. Darebin C210dare Panel Report (**Appendix A**) [↓](#) 
4. Darebin C210dare Amendment Documents (**Appendix B**) [↓](#) 
5. C210dare Background Report (**Appendix C**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**Planning
Panels
Victoria**

**Darebin Planning Scheme Amendment C210dare
Open Space Contributions**

Panel Report

Planning and Environment Act 1987

24 September 2024



How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Darebin Planning Scheme Amendment C210dare

Open Space Contributions

24 September 2024



Rodger Eade, Chair

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Glossary and abbreviations

Council	Darebin Council
DTP	Department of Transport and Planning
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Darebin Planning Scheme
POS	Public open space
Subdivision Act	<i>Subdivision Act 1988</i>
VCAT	Victorian Civil and Administrative Tribunal

Overview

Amendment summary	
The Amendment	Darebin Planning Scheme Amendment C210dare
Common name	Open Space Contributions
Brief description	The public open space contribution requirements for subdivisions that create fewer than five additional lots to revert to the requirements under section 18 of the <i>Subdivision Act 1988</i>
Subject land	All land in the municipality excluding Preston market Precinct (excluding 30A Cramer Street and 102 St Georges Road Preston).
The Proponent	Darebin City Council
Planning Authority	Darebin City Council
Authorisation	12 January 2024 with conditions
Exhibition	22 February to 22 March 2024
Submissions	Number of Submissions: seven, with two that requested changes to the Amendment. Submissions were received from: <ul style="list-style-type: none"> - Darebin Appropriate Development Association - Nasir Choudary - Marion Attwater - Tim Holdsworth - Hunter Cullen - Merri-bek Council - Department of Energy, Environment and Climate Action

Panel process	
The Panel	Rodger Eade, Chair
Directions Hearing	By video conference 19 August 2024
Panel Hearing	By video conference 16 September 2024
Site inspections	Not required
Parties to the Hearing	Darebin Council represented by Darren Wong of Planology. Darebin Appropriate Development Association represented by Chris Erlandsen.
Citation	Darebin Planning Scheme PSA C210dare [2024] PPV
Date of this report	23 September 2024

Executive summary

Darebin Planning Scheme Amendment C210dare (the Amendment) seeks to implement public open space (POS) contributions for subdivisions that create fewer than five additional lots by reverting to the requirements under section 18 of the *Subdivision Act 1988* (Subdivision Act). It does this by amending the Schedule to Clause 53.01 of the Darebin Planning Scheme.

Key issues raised in submissions included:

- the need for more and better open space
- the administration of open space funds collected
- the methodology for determining need in the open space strategy, *Breathing Space*
- transitional provisions
- governance matters relating to the delegated powers of the Planning Committee of Council.

The Panel notes that a number of the issues raised in submissions are beyond the scope of the Amendment and are not considered by it.

The Amendment is the first part of a to step process which Council stated would likely seek to implement a higher POS contribution rate for Darebin.

The strategic justification for the Amendment is found in State and local policy. The current situation where subdivisions that create between two and four extra lots make POS contributions on a sliding scale is considered by Darebin Council (Council) to be outmoded and anomalous. Council submitted that by reverting to the provisions of section 18 of the Subdivision Act which provides for a POS contribution of up to five percent is strategically justified. This contribution level aligns with the POS contributions required under Clause 53.01 of the Darebin Planning Scheme (Planning Scheme) where subdivisions create five or more additional lots.

The Panel concludes:

- The Amendment makes the system of POS contributions in Darebin fairer than currently.
- The proposal to collect POS contributions from subdivisions creating fewer than five additional lots through the section 18 of the Subdivision Act and from subdivisions creating five or more additional lots through Clause 53.01 of the Panning Scheme is appropriate.
- The quantum of the proposed POS contribution for subdivisions that create fewer than five additional lots is appropriate to the extent that it removes an anomaly.
- The Amendment should not include transitional provisions.
- No evidence was provided that appropriate processes were not followed by Council and its officers in seeking authorisation for and considering submissions to the Amendment.
- Issues which fall outside the scope of the Amendment cannot be considered.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Darebin Planning Scheme Amendment C210dare be adopted as exhibited.

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is for POS contribution requirements for subdivisions that create fewer than five additional lots to revert to the provisions of section 18 of the Subdivision Act.

Specifically, the Amendment proposes to:

- Amend the Schedule to Clause 53.01 (Public Open Space and Subdivision) to delete the mandatory sliding scale for contributions where two, three, and four additional lots are created.

(ii) The subject land

The Amendment applies to all land in the municipality, excluding:

- Preston Market Precinct (excluding 30A Cramer Street and 102 St Georges Road, Preston).

1.2 Background

Darebin, like a number of Councils, is facing a significant gap between the costs of providing POS and related facilities and the funds that are collected through POS contributions. With the exception of the Preston Market Precinct, and where subdivisions create four additional lots or fewer, the current open space contribution rate in Darebin is five per cent. This rate is lower than that applied in a number of comparator municipalities.

Currently the Planning Scheme requires open space contributions according to a sliding scale of two to five per cent, based on the number of additional lots being created by a given subdivision: 2 per cent for two additional lots, three per cent for four lots, four per cent for four lots and five per cent for 5 or more additional lots¹. As a result, for smaller subdivisions the sliding scale caps contributions at a lesser rate than the maximum of five per cent enabled through the state standard provisions of the Subdivision Act.

Council endorsed its open space strategy, *Breathing Space* in 2019 and subsequently prepared Amendment C186dare to increase the open space contribution rate to raise revenue to implement projects arising from the strategy. As a result of challenges to the strategy methodology it resolved to abandon that Amendment.

In September 2022, Council resolved to pursue a two-step approach to increasing the open space contribution rate as follows:

- Step 1: Prepare a new planning scheme amendment to remove the stepped approach to contribution rates for smaller subdivisions embodied in Clause 53.01
- Step 2: Undertake further strategic work to underpin a review of the open space contribution rate.

¹ For ease of reference subdivisions creating two, three and four extra lots are referred to in this report as smaller subdivisions and subdivisions creating five or more extra lots are referred to as larger subdivisions

Council views this Amendment as a step towards a broader based Amendment that is likely to seek a larger open space contribution rate.

The chronology of events leading to this Amendment are in Table 1.

Table 1 Chronology of events

Date	Event
9 October 2023	Planning Committee of Council resolved to commence Amendment C210 dare
9 November 2023	Council sought authorisation to prepare the Amendment
21 November 2023	Department of Transport and Planning (DTP) sought a review of information
23 November 2023	Council responded to request for review
12 January 2024	Amendment authorised subject to conditions
6 February 2024	Council provided a revised Amendment to meet the conditions of authorisation
8 February 2024	DTP advised that subject to minor changes the conditions of authorisation had been met
22 February to 22 March 2024	Amendment exhibited
22 July 2024	Council considered submissions and resolved to request that an independent Planning Panel be appointed
9 July 2024	Panel appointed
19 August 2024	Directions Hearing held
23 August 2024	Public Hearing held

Source: Council Part A submission and PPV documents

1.3 The Panel's approach

Key issues raised in submissions were:

- the need for more and better open space
- the administration of open space funds collected
- the methodology for determining need in the open space strategy, *Breathing Space*
- transitional provisions
- governance matters relating to the delegated powers of the Planning Committee of Council.

The Panel notes that a number of issues raised by submitters are beyond the scope of the Amendment and cannot be considered by the Panel. In particular, the Amendment does not include a review of *Breathing Space*. The Panel advised submitters of this at the Directions Hearing.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, submissions, and other material presented to it during the Hearing. It has reviewed the material before it and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic issues
- Issues addressed by the Panel.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment. Appendix B highlights key imperatives of relevant provisions and policies.

Table 2 Planning context

	Relevant references
Victorian planning objectives	- section 4 of the <i>Planning and Environment Act, 1987</i> (PE Act)
Municipal Planning Strategy	- Clause 2 Vision
Planning Policy Framework	- Clause 11 Settlement - Clause 12 Environmental and landscape values - Clause 15 Built environment and heritage - Clause 19 Infrastructure
Other planning strategies and policies	- Plan Melbourne Directions 2.1, 5.1, 5.2, 5.4, 6.4, and 6.5 - Breathing Space
Ministerial directions	- Ministerial Direction on the Form and Content of Planning Schemes - Ministerial Direction 9 (Metropolitan Planning Strategy) - Ministerial Direction 11 (Strategic assessment of amendments) - Ministerial Direction 15 (The planning scheme amendment process)
Planning practice notes	- Planning Practice Note 46: Strategic Assessment Guidelines, September 2022

2.2 Strategic justification

(i) Evidence and submissions

Council submitted that the Amendment is strategically justified and that it is based on the relevant clauses of the state and local sections of the Planning Scheme. It further stated that the Amendment is consistent with the vision in the Municipal Planning Strategy (MPS) at Clause 2 of the Planning Scheme.

While some submitters either questioned aspects of the underpinning open space strategy, *Breathing Space*, or on where in the municipality open space contributions collected could be expended, no submitter directly questioned the strategic basis of the Amendment.

In addition, Council submitted that the approach it is taking to the Amendment, that is revising the Schedule to Clause 53.01 to remove reference to open space contributions for smaller subdivisions and reverting to the provisions of section 18A of the Subdivision Act, is justified. This issue is considered in Chapter 3.2.

(ii) Discussion

The Panel accepts that the Amendment is strategically justified through State and local policy and provisions and notes that no submitter disagreed with this. The Panel considers that the

Amendment delivers net community benefit and sustainable development as required by Clause 71.02-3.

(iii) Conclusions

For the reasons set out in this report, the Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified.

3 Issue addressed by the Panel

3.1 Is the Amendment fair?

(i) The issues

The issue is:

- does the proposed Amendment increase the fairness in the way open space is funded in Darebin?

(ii) Submissions

Submitter 1 raised the issue of fairness of the Amendment and was the only submitter to explicitly do so. The issue was raised in respect of where in the municipality revenue raised through POS contributions is spent and whether the criteria for prioritising expenditure are fair.

Council addressed the issue of fairness more broadly. It focussed on whether it was fair to impose up to the same percentage contributions for open space on smaller subdivisions as is currently imposed on larger. It submitted that it is fair to do so.

Council submitted that its approach through this Amendment is to make the POS contributions regime fairer than currently but a subsequent Amendment which is described as Step 2 would make the system fair.

To support its case, it referred the Panel to two Victorian Civil and Administrative Tribunal (VCAT) cases where the tribunal determined that a subdivision that created only a small number of extra lots should make the same contribution as a subdivision creating a larger number of lots.

Council quoted former Senior Member Byard² as saying that one subdivision creating 20 extra lots would likely have the same impact as 10 subdivisions creating two extra lots each. For this reason, it is fair that each subdivision should make POS contributions at the same rate. It further quoted a determination of former Deputy President Gibson where the fairness of the cumulative impacts of subdivisions were considered.³

Council submitted that the sliding scale of contributions as currently imposed under Clause 53.01 of the Planning Scheme is outdated. It stated that this sliding scale is a legacy of VicCode 2 which was in operation in the mid-1990s and is now superseded.

(iii) Discussion

The Panel notes that fairness in the use and development of land is one of the objectives in the PE Act.

The Panel agrees with Council that there is no remaining logic to necessarily imposing a lower rate of POS contribution on smaller subdivisions. The Panel agrees that in an environment where there are clear policy drivers to increased densification of residential development and consequently increased demand for public open space, all or most extra lots created should contribute equally to the provision of open space.

² Agnew v Yarra CC [2008] VCAT 489

³ Stupak v Hobsons Bay CC [2011] VCAT 618

In saying this, the Panel is well aware of existing inequities and unfairness in the current system where major development may not involve subdivision and therefore there is no trigger for the collection of POS contributions. It is beyond the scope of this Amendment to comment further on this. The Panel is aware that a review of how public open space is funded is currently in train.

(iv) Conclusion

The Panel concludes:

- That the Amendment makes the system of Public Open Space contributions in Darebin fairer than currently.

3.2 Open space contribution methodology

(i) The issue

The issue:

- is the approach of collecting open space contributions for smaller subdivisions through the Subdivision Act and from larger subdivisions through Clause 53.01 of the Planning Scheme appropriate?

(ii) Submissions

The Panel asked Council why it proposed to collect open space contributions from smaller subdivisions through the Subdivision Act and for larger subdivisions through Clause 53.01 of the Planning Scheme.

The Panel expressed concern that this may be confusing for some users of the system where they did not have familiarity with the legislative context.

Council responded:

- it wished to retain discretion to charge less than the Subdivision Act maximum of five percent for smaller subdivisions if the particular case warranted a lesser contribution
- that the current Clause 53.01 provisions already allow for reverting to the Subdivision Act in two circumstances where the Schedule does not specify a contribution rate
- the potential for confusion between the two mechanisms for charging contribution should be mitigated by subdivision requiring the certification by a licensed surveyor. A professional surveyor will be familiar with the legislative base that applies.

(iii) Discussion

The Panel notes that Planning Schemes are being revised to a format where state, regional and local policy are being located together to make Planning Schemes more user friendly. That said, the Panel is aware that the current situation of numerous sources of funding of public open space and in this context it considers that the current Amendment does not add significantly to complexity. Further, the Panel accepts Council's wish to retain some discretion for smaller subdivisions so that it can charge a lesser rate if it considers that the subdivision will not give rise to proportional extra demand for POS. The Panel notes that there is no clear guidance for the exercise of discretion and that this is undesirable from the perspective of transparent processes.

(iv) Conclusion

The Panel concludes:

- The proposal to collect POS contributions from subdivisions creating fewer than five additional lots through the section 18 of the *Subdivision Act 1988* and from subdivisions creating five or more additional lots through Clause 53.01 of the Panning Scheme is appropriate.

3.3 Level of contribution**(i) The issue**

The issue:

- is the maximum open space contribution for subdivisions that result in fewer than five additional lots, appropriate?

(ii) Submissions

As indicated in Chapter 1.1, Council proposes that open space contributions for subdivisions that create fewer than five additional lots revert to the provision of section 18 of the Subdivision Act. This provides for a contribution of up to five per cent. Council submitted that in most cases the maximum contribution rate of five per cent is likely to be justifiable and successfully defended at VCAT. Council further submitted that the existing sliding scale contribution rate is outdated.

Submitter 1 supported a flat five percent POS contribution. Submitter 5 supported the highest possible rate and stated that they understood that to be five percent currently. Submitter 7 noted the maximum rate of five percent in the exhibited Amendment and that it had no objection to the Amendment.

(iii) Discussion

As noted in Chapter 1.2, Council stated that the Amendment is the first step towards a more comprehensive review of the open space contribution rate in Darebin. The Panel accepts that the differential between the rates for smaller and larger subdivisions is anomalous. The Panel further notes that the existing open space contribution rate of five percent is now at the lower end of that charged by comparator municipalities, particularly those facing significant population growth pressures. Based on Council submissions and the lack of objections to the proposed maximum rate of up to five percent, the Panel supports the proposed quantum of the POS contribution.

(iv) Conclusion

The Panel concludes:

- The quantum of the proposed public open space contribution for subdivisions that create fewer than five additional lots is appropriate to the extent that it removes an anomaly.

3.4 Transitional provisions**(i) The issue**

The issue:

- is it appropriate to include transitional provisions for applications under consideration at the time of consideration of the Amendment?

(ii) Submissions

Submitter 2 stated that the proposed charges should not apply to their current application for subdivision which has been submitted and is under consideration by Council.

Council responded that the process for consideration of an Amendment is a lengthy one and that there is an opportunity for current applicants to resolve their application before the Amendment is gazetted. Council submitted that this time period is the only transitional period that will be provided and that no other transition provisions are provided. It further noted that similar Amendments in other municipalities have not provided transitional provisions.

At the Hearing, Council advised that the application made by Submitter 2 has now been determined by Council and as such its open space contributions will be assessed under current provisions.

(iii) Discussion

The Panel agrees with Council that there should be time to resolve existing applications and that transitional provisions are not normally provided in similar situations. The Panel agrees that the appropriate implementation date is and should be the date of gazettal of the Amendment. The Panel notes that transitional provisions, if included, would be administratively complex and a cutoff point complex to define.

(iv) Conclusion

The Panel concludes:

- The Amendment should not include transitional provisions.

3.5 Other issues

(i) The issues

The issues:

- does the Planning Committee of Council have the delegated power to seek authorisation to prepare an Amendment?
- is the use of revenue raised and the location in which it is spent appropriate?
- is the methodology that underpins the open space strategy, *Breathing Space* flawed?

(ii) Submissions

Submitter 3 questioned whether the legal basis of the preparation of the Amendment is sound. In response, Council submitted that section 188 of the PE Act does not prohibit Council delegating a decision to seek authorisation or consider submissions. It submitted that the Planning Committee of Darebin has delegated power to seek authorisation and in this case submissions to the Amendment were considered by the Council.

Submitter 1 questioned the methodology underpinning *Breathing Space* and also the location where funding had been spent within the municipality. Submitter 4 questioned whether the use

of funds collected through POS contributions can be legitimately used in works at the Northcote pool.

(iii) Discussion

Council did not table the instrument of delegation to support its contention that seeking authorisation for the Amendment had been appropriately approved. However, the Panel is aware that delegation of authority is very regularly provided to Committees of Council and senior officers. The Panel notes that no evidence was provided that processes followed are not legally based.

As stated in Chapter 1.3, some issues raised by submitters fall outside the scope of the Amendment and the Panel does not comment on these. These include both the methodology used in *Breathing Space* and the expenditure of funds raised through POS contributions.

(iv) Conclusions

The Panel concludes:

- No evidence was provided that appropriate processes were not followed by Council and its officers in seeking authorisation for and considering submissions to the Amendment.
- Issues which fall outside the scope of the Amendment cannot be considered.

Appendix A Document list

No.	Date	Description	Provided by
1	19 Aug 2024	Panel Directions and Timetable (version 1)	Planning Panels Victoria (PPV)
2	9 Sep 2024	Council Part A submission and six attachments	Council
3	11 Sep 2024	Darebin Appropriate Development Association Submission	Mr Erlandsen
4	13 Sep 2024	Council Part B Submission and two attachments	Council

Appendix B Planning context

B:1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing the following State policy objectives set out in section 4 of the PE Act:

- to provide for the fair, orderly, economic and sustainable use and development of land
- to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

Clause 2 (Municipal Planning Strategy)

The Amendment supports the Vision of the Municipal Planning Strategy by providing funding to assist in providing accessible open space.

Clause 11 (Settlement)

The Amendment is consistent with the objective of this Clause to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

The Amendment supports this Clause by requiring new subdivisions to contribute to the future open space needs of the municipality.

Clause 12 (Environment and Landscape values)

The Amendment is consistent with the following objectives:

- Clause 12.01L which seeks to ‘maintain a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks’.
- Clause 12.03-1L which seeks to ‘protect and enhance Darebin’s major creek systems and creek environs as a waterway and open space corridor’.

The Amendment achieves this by funding improvements to protect the municipality’s important natural assets and facilitate the creation of new open spaces.

Clause 15 (Built Environment)

The objective at Clause 15.01-3S subdivision design is ‘to ensure the designs of subdivision achieves attractive, safe accessible, diverse and sustainable neighbourhoods’. The Amendment supports this clause by providing the funding to create a network of open spaces and by protecting and enhancing native habitat.

Clause 19 (Infrastructure)

The objective at Clause 19.02-6S Open space is ‘to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community’. The objective at

Clause 19.02-6R Open space – Metropolitan Melbourne is to strengthen the integrated metropolitan open space network’. The Amendment supports this clause by providing for funding to improve and acquire new open spaces that meet the needs of the community.

B:2 Other relevant planning strategies and policies

i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne’s development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved.

Table 3 Relevant sections of Plan Melbourne

Outcome	Directions
2. Housing choice	2.1 Supply of new housing
4 Distinctive and liveable city	Increased open space
5. Inclusive vibrant neighbourhoods	5.1 20 minute neighbourhoods 5.2 Safe neighbourhoods that support healthy lifestyles 5.4 Deliver local parks and green neighbourhoods
6. Sustainable and resilient city	6.4 Make Melbourne cooler and greener 6.5 protect and restore natural habitats

ii) Breathing Space

Breathing Space is the adopted open space strategy for the City of Darebin. It sets out broad strategic directions for the provision of POS. It is accompanied by *Implementing Breathing Space*, which nominates projects and project areas and includes indicative costings.

B:3 Ministerial Directions

Ministerial Direction No. 9 Metropolitan Planning Strategy

Metropolitan planning strategy, *Plan Melbourne* is discussed in B:2.

Ministerial Direction No. 11 Strategic Assessment of Amendments

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

Ministerial Direction No. 15 The Planning Scheme Amendment process

Council stated that the requirements of Ministerial Direction No. 15 are addressed through complying with the specified planning scheme amendment process and associated timeframes.

The Amendment is consistent with the Ministerial Direction on the form and content of Planning Schemes.

Planning and Environment Act 1987

Darebin Planning Scheme

Amendment C210DARE

Explanatory Report

Overview

This amendment reverts to the state standard provisions of section 18 of the *Subdivision Act 1988* for determining public open space contribution requirements for subdivisions that create fewer than 5 additional lots and which are outside the Preston Market Precinct (excluding 30A Cramer St and 102 St Georges Rd, Preston). It does this by amending the schedule to Clause 53.01 to remove the existing mandatory contribution rates for subdivisions that create an additional 2, 3 and 4 lots. This allows for the determination of an appropriate discretionary public open space contribution of up to 5% for subdivisions in this category.

Where you may inspect this amendment

The amendment can be inspected free of charge at Darebin City Council website at www.yoursaydarebin.com.au

And

The amendment is available for public inspection, free of charge, during office hours at the following places:

- City of Darebin (Planning Counter), Level 1, 274 Gower Street, Preston

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by 22 March 2024.

A submission must be sent to:

Coordinator Strategic Planning
Darebin City Council
PO Box 91
Preston Victoria 3072

or via email to: planningservices@darebin.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: 23 May 2024
- Panel hearing: 20 June 2024

Details of the amendment

Who is the planning authority?

This amendment has been prepared by the Darebin City Council, who is the planning authority for this amendment.

The Amendment has been made at the request of Darebin City Council.

Land affected by the amendment

The amendment applies to all land in the municipality, excluding:

- Preston Market Precinct (excluding 30A Cramer Street and 102 St Georges Road, Preston).

What the amendment does

The amendment reverts the public open space contribution requirements for subdivisions that create fewer than 5 additional lots to the requirements under section 18 of the *Subdivision Act 1988*.

Specifically, the amendment makes the following change:

Planning Scheme Ordinance

- Amends the Schedule to Clause 53.01 (Public Open Space and Subdivision) to delete the mandatory sliding scale for contributions where 2, 3, and 4 additional lots are created.

Strategic assessment of the amendment

Why is the amendment required?

Access to open space is essential to people's health and wellbeing. *Breathing Space: The Darebin Open Space Strategy (2019)* was adopted by Council in September 2019 and outlines the need for improved open space in Darebin to meet the needs of a growing population. It identifies areas within Darebin where access to open space is limited in terms of the proximity to households and/or because not enough open space

is available to cater for more users.

Darebin is projected to house an additional 55,000 people by 2041 - a 35% increase over the next 18 years - to bring the total population to 215,000. Without creation of new open spaces there will be a further reduction in open space per capita and an increase in the number and proportion of residents who do not have access to open space within 500 metres. Further, the projected increase in residents living in higher density development will mean that occupants have less private open space and rely more heavily on public open spaces for their needs. Improvements are needed to make existing open space work harder and meet the needs of diverse users.

The current open space contribution rate in the Darebin Planning Scheme is not sufficient to provide for the open space needs of the future population. The schedule to Clause 53.01 specifies an open space contribution of between 2% and 5% based on a sliding scale determined by how many additional lots are created. Two additional lots attract a 2% contribution, three lots 3%, four lots 4% and 5-plus lots a 5% contribution.

The sliding scale of was introduced by Amendment C050 in 2004 and replicates an earlier provision of the Victorian Code for Residential Development – Multi-Dwellings which existed 10 years prior. It is an outdated tool that is no longer fit for purpose. In effect the current rates impose an artificial cap on contributions when compared to the provisions of s18 of the *Subdivision Act 1988*, which allow a maximum contribution of 5%.

Darebin is an established municipality where development is necessarily occurring at increasing densities and it is difficult to acquire enough land to ensure all occupants have good access to public open space. The current sliding scale artificially constrains the ability to require contributions that are more aligned with the public open space need generated by subdivision. Reverting to s18 of the *Subdivision Act 1988*, while reinstating discretionary provisions, provides a better mechanism to secure developer contributions on a fair and equitable basis and better meet community open space requirements.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria contained in section 4(1) of the *Planning and Environment Act 1987* (the 'Act') as follows:

- a) To provide for the fair, orderly, economic and sustainable use and development of land;

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing an equitable method for determining public open space contributions, as established in s18(1A) of the *Subdivision Act 1988*.

- b) To provide for the protection of natural and man-made resources and the

maintenance of ecological processes and genetic diversity;

The amendment provides for the protection of natural and man-made resources within the municipality by supporting improvements to the public open space network.

- c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.

The amendment will support the delivery of a pleasant, efficient and safe working, living and recreational environment by providing public open space to meet the needs of the present and future population.

How does the amendment address any environmental, social and economic effects?

Environmental Effects

The amendment proposes a change to the funding mechanism to contribute to improving existing and acquiring new open spaces which will be conserved to support a cooler City, increased biodiversity and nature habitat corridors.

Social Effects

The amendment will provide a strong benefit for the community as there is a clear link between health and wellbeing and access to quality open space. The open space contributions will contribute to funding improvements for open spaces that cater for all of Darebin's residents regardless of culture, gender, sexual orientation, age, socioeconomic condition and disability.

Economic Effects

The amendment will result in more financial resources to fund new open spaces and improve existing open space. The amendment will provide an equitable collection of contributions from subdivisions across the municipality.

Does the amendment address relevant bushfire risk?

The changes proposed in the amendment will not result in any increase to the risk to life as a priority, property, community infrastructure and the natural environment from bushfire.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes (section 7(5) of the Act).

In accordance with section 12 (2) (a) of the Act, The Minister's Directions relevant to the Amendment are:

Ministerial Direction No. 9 – Metropolitan Planning Strategy

The amendment complies with Ministerial Direction No. 9, which requires the planning authority to have regard for the Metropolitan Planning Strategy, *Plan Melbourne 2017-2050* in preparing a planning scheme amendment.

The following are considered relevant to the amendment:

Outcome 2: Melbourne provides housing choice in locations close to jobs and services.

- Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.

The amendment seeks to equitably fund and ultimately deliver public open space for all residents of Darebin, particularly in areas of identified need. Providing additional open space through appropriate contributions will ensure that new housing is provided with adequate open space to meet residents' needs.

Outcome 4: Melbourne is a distinctive and liveable city.

The amendment will facilitate the improvement and expansion of open space in Darebin that contribute to the metropolitan network of open spaces.

Outcome 5: Inclusive, vibrant and healthy neighbourhoods.

- Direction 5.1 – Create a city of 20-minute neighbourhoods.
- Direction 5.2 - Create neighbourhoods that support safe communities and healthy lifestyles.
- Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities.

The amendment will support accessible, high quality open space enabling healthy lifestyles, and creating successful 20-minute neighbourhoods.

Outcome 6: Melbourne is a sustainable and resilient city.

- Direction 6.4 – make Melbourne cooler and greener.

The amendment will support a cooler Melbourne by enabling the greening of urban areas and strengthening the integrated open space network.

- Direction 6.5 – protect and restore natural habitats.

The amendment will improve and add to Darebin's network of green spaces, supporting biodiversity conservation and providing opportunities to connect with nature.

Ministerial Direction No. 11 – Strategic Assessment of Amendments

The amendment complies with Minister Direction No. 11 (Strategic Assessment of Amendments) under section 12 of the Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

Ministerial Direction No. 15 – The planning scheme amendment process

The requirements of Ministerial Direction No 15 are addressed through complying with the specified planning scheme amendment process and associated timeframes.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports the following provisions of the Planning Policy Framework:

Clause 11 – Settlement.

The amendment is consistent with the following objective of this Clause, 'Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure'. The amendment supports this clause by requiring new subdivisions to contribute to the future open space needs of the municipality.

Clause 12 – Environmental and Landscape Values.

The objective at clause 12.05-2S Landscapes is 'to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments'. The amendment supports this clause by improving valued open spaces in the municipality.

The amendment is consistent with the following objectives:

- Clause 12.01L which seeks to 'maintain a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks.
- Clause 12.03-1L which seeks to 'protect and enhance Darebin's major creek systems and creek environs as a waterway and open space corridor'.

The amendment achieves this by funding improvements to protect the municipality's important natural assets and facilitate the creation of new open spaces.

Clause 15 – Built Environment and Heritage.

The objective at clause 15.01-3S subdivision design is 'to ensure the designs of subdivision achieves attractive, safe accessible, diverse and sustainable neighbourhoods'. The amendment supports this clause by providing the funding to create a network of open spaces and by protecting and enhancing native habitat.

Clause 19 – Infrastructure.

The objective at clause 19.02-6S Open space is 'to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community'. The objective at clause 19.02-6R Open space – Metropolitan Melbourne is to strengthen the integrated metropolitan open space network'. The amendment supports this clause by providing for funding to improve and acquire new open spaces that meet the needs of the community.

The amendment is also consistent with the objective at Clause 19.02-6L which seeks to 'provide a safe, accessible and high-quality open space network that is equitably distributed across the municipality.

How does the amendment support or implement the Municipal Planning Strategy?

The Amendment is consistent with the vision of the Municipal Planning Strategy which emphasises the protection of natural assets and ecosystems in response to the climate emergency and for the benefit of the community.

Does the amendment make proper use of the Victoria Planning Provisions?

The Amendment makes changes to the schedule to clause 53.01 that will facilitate a more equitable open space contributions regime which responds more appropriately to the need generated by subdivisions.

How does the amendment address the views of any relevant agency?

The exhibition of the Amendment will provide a formal opportunity for all relevant agencies to comment on the Amendment. The Amendment does not create any new referral agencies or referral requirements.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The requirements of the *Transport Integration Act 2010* are not considered to be relevant to this Amendment.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment may have a small impact on the legal and administrative costs of the responsible authority. Removing the existing mandatory contribution rates and deferring to the guidance of the *Subdivision Act 1988* requires that a determination of an appropriate levy occurs on a case-by-case basis during assessment of subdivision applications. Contributions required through permit conditions may be challenged through VCAT and a response to appeal will need to be resourced should this occur.

*Planning and Environment Act 1987***DAREBIN PLANNING SCHEME****AMENDMENT C210dare****INSTRUCTION SHEET**

The planning authority for this amendment is the Darebin City Council

The Darebin Planning Scheme is amended as follows:

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

1. In **Particular Provisions** – Clause 53.01, replace the Schedule with a new Schedule in the form of the attached document.

End of document

AMENDMENT C210DARE

System Note: The following ordinance will be modified in Sub-Clause:53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION, Schedule:SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0

C210dare

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land that creates 5 or more additional lots	5%
Preston Market Precinct (excluding 30A Cramer Street Preston, and 102 St Georges Road Preston)	10%
30A Cramer Street, Preston and 102 St Georges Road, Preston	None specified

DAREBIN PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0 Subdivision and public open space contribution

07/09/2023 - / - / - -
C182 dare Proposed C210 dare

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land that creates:	
1 additional lot	None specified
2 additional lots	2%
3 additional lots	3%
4 additional lots	4%
The subdivision of land that creates 5 or more additional lots	5%
Preston Market Precinct (excluding 30A Cramer Street Preston, and 102 St Georges Road Preston)	10%
30A Cramer Street, Preston and 102 St Georges Road, Preston	None specified

C210dare BACKGROUND REPORT

1 SUMMARY

Darebin City Council is committed to providing sufficient, high quality, accessible open space. Council's adopted open space strategy, *Breathing Space: The Darebin Open Space Strategy (Breathing Space)*, outlines the open space need in Darebin and sets out strategies and actions for improving and expanding the public open space network in the City of Darebin over the 10 years to 2028.

At present, however, there is a large a gap between the cost of delivering the open space improvements that the community needs now and into the future and the revenue Council receives through open space contributions. Currently the Darebin Planning Scheme requires open space contributions according to a sliding scale of 2-5 per cent, based on the number of lots being created by a given subdivision: 2 per cent for 2 additional lots, 3 per cent for 3 lots, 4 per cent for four lots and 5 per cent for 5 or more additional lots. As a result, for subdivisions creating less than 5 additional lots the sliding scale caps contributions at a lesser rate than the 5 per cent enabled through the state standard provisions of the *Subdivision Act 1988 (Subdivision Act)*.

Proposed Amendment C210dare will remove the restrictive sliding scale which applies to subdivisions creating 2-4 additional lots and revert to the default provisions under s18 of the *Subdivision Act*, enabling up to a 5 per cent open space contribution for subdivisions in this category.

C210dare is an initial step to enable open space revenue which more closely matches the need for improved and expanded open space in Darebin. It is Council's intention that a future amendment to set a revised mandatory rate in the Darebin Planning Scheme will supersede Amendment C210dare.

The rationale set out in this report provides the strategic justification for the amendment and relates to the following key objectives for C210dare:

- To avoid future forgone revenue resulting from the sliding scale and enable open space contributions more in line with open space need.
- To achieve community benefit by increasing funds available to service the growing open space need in Darebin.
- To decommission an outdated sliding scale contribution mechanism that is no longer fit for purpose.

2 BACKGROUND

2.1 Open Space Contributions Framework

As part of the subdivision of land under both the *Subdivision Act* and Clause 53.01 of planning schemes, councils may require permit applicants to contribute a percentage of the land for public open space, or pay Council an equivalent value, or a combination of both.

2.1.1 Subdivision Act

Section 18(1) of the *Subdivision Act* provides that Council may require an open space contribution of up to 5% in relation to an application for subdivision, as follows:

A Council acting as a responsible authority or a referral authority under the Planning and Environment Act 1987 may require the applicant who proposes to create any additional separately disposable parcel of land by a plan of subdivision to—

- (a) Set aside on the plan, for public open space, in a location satisfactory to the Council, a percentage of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- (b) Pay or agree to pay to the Council a percentage of the site value of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- (c) Do a combination of (a) and (b) so that the total of the percentages required under (a) and (b) does not exceed 5 per cent of the site value of all the land in the subdivision.*

2.1.2 The Darebin Planning Scheme

Clause 53.01 of the Darebin Planning Scheme is a state standard planning provision that allows councils to specify an open space contribution rate instead of relying on the standard provisions of the *Subdivision Act* which caps contributions at 5 per cent.

At present, the local schedule to Clause 53.01 of the Darebin Planning Scheme specifies an open space contribution of between 2 and 5 per cent, for subdivisions creating more than 1 additional lot, except for land within the Preston Market Precinct (refer Table 1). In effect, Council has established a lower ‘cap’ on contributions than the default provisions of the *Subdivision Act*.

Table 1 Existing public open space contribution rates

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land that creates:	
1 additional lot	None specified
2 additional lots	2%
3 additional lots	3%
4 additional lots	4%
5 or more additional lots	5%
Preston Market Precinct (excluding 30A Cramer Street Preston, and 102 St Georges Road Preston)	10%

30A Cramer Street, Preston and 102 St Georges Road, Preston	None specified
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2.1.3 Darebin Open Space Planning

Council has a strong commitment to providing high-quality, accessible open space and protecting and enhancing biodiversity. This commitment is reflected in *Council Plan 2021-2025* with its aim to implement reforms to open space contribution requirements in the Darebin Planning Scheme.

Considerable progress has been made towards this goal through Council endorsing *Breathing Space* which sets out the overarching framework and strategic direction for public open space in the City of Darebin for the 10 years to 2028. *Breathing Space* includes an action to amend the Darebin Planning Scheme to increase the open space contribution rate in order that development fairly and equitably contributes to provision of open space that meets the needs of the current and future population.

Implementing Breathing Space and *Enhancing Breathing Space* were prepared to prioritise and cost actions identified in *Breathing Space*. These documents were endorsed by Council in August 2021, and provide clear evidence that the existing planning scheme settings are insufficient to generate the funding required to meet open space needs. This is addressed in section 3.1.

2.1.4 Amendment C210dare: an incremental approach to increasing open space contributions

On 12 September 2022, Council endorsed a two-step approach to progressively increase the open space contribution rate over time:

- Step 1 – Commence a new amendment to change the Schedule to Clause 53.01, enabling Darebin to require up to a 5 per cent contribution (up from the current restrictive sliding scale).
- Step 2 – Revise the existing strategic work to develop a longer term (20 years+) open space strategy and associated contribution/funding mechanism to support a new, future amendment which may involve further increasing the open space levy.

Proposed Amendment C210dare implements the first of these steps by removing the restrictive sliding scale for subdivisions creating 2-4 additional lots and instead deferring to the provisions of the *Subdivision Act* when requiring an open space contribution for applications outside of the Preston Market Precinct (excluding 30A Cramer Street Preston, and 102 St Georges Road Preston).

Under the new setting Council will apply planning permit conditions for subdivision which specify up to 5 per cent for an open space contribution in accordance with the criteria set out in section 18(1A) of the *Subdivision Act*.

The Amendment does not propose to change the mandatory 5 per cent contribution requirement for subdivision that creates 5 or more additional lots.

C210dare is a step to enable increased open space revenue while Council prepares a future amendment to set a new rate in the Darebin Planning Scheme which will supersede amendment C210dare.

3 RATIONALE

The following sections outline the rationale underlying the key objectives of C210dare:

- To enable open space contributions more in line with open space need, as demonstrated in *Breathing Space* and supporting implementation documents.
- To avoid future forgone revenue resulting from the sliding scale.
- To achieve community benefit by increasing funds available to service the growing open space need in Darebin.
- To decommission an outdated contribution mechanism in the sliding scale.

3.1 The need

Breathing Space is an adopted policy that documents the need for improved open space within Darebin to meet the needs of a growing population.

Without creation of new open spaces, there will be a further reduction in the open space per capita rates and an increase in the number of residents who do not have access to open space within 500 metres.

Further, the projected increase in residents living in higher density development will mean that occupants have less private open space and rely more heavily on public open spaces for their needs. Improvements are needed to make existing open space work harder and meet the needs of diverse users.

The current open space contribution rate in the Darebin Planning Scheme is not sufficient to provide for the open space needs of the future population. *Breathing Space* sets out the following Strategies and Actions to safeguard equitable access to quality open space into the future:

Strategies

S1.3 Increase funding for new and improved open space needs generated by population growth via an increased open space contribution rate delivered through the Planning Scheme.

Actions

A1.2 Implement a higher open space contribution rate as a schedule to Clause 53.01 in the Darebin Planning Scheme, across all land uses.

Implementing Breathing Space and Enhancing Breathing Space quantify and guide the open space investment required to deliver *Breathing Space* actions.

Implementing Breathing Space indicates that open space improvements, expansions and initiatives required to deliver *Breathing Space* objectives would cost around \$199 million, of which \$169 million is eligible for open space contributions. Costs include approximately \$92 million for the delivery of new open space, \$66 million in upgrades to existing open space and \$40 million in other open space improvements.

For the last 5 years (2018/19-2022/23), under the existing contributions settings, Council has collected around \$5 million dollars per year in open space contributions. Assuming the same rate of future development, the projected collection to the Breathing Space horizon (2027-2028) is around \$25million dollars, demonstrating the large gap (\$175 million) between open space investment need and contributions revenue under current settings.

Since *Breathing Space* was prepared, pressure on open space continues to increase, with housing consolidation and community expectations, while Council continues to be constrained by the existing restrictive and outdated sliding scale contributions provision in the Darebin Planning Scheme.

By reverting to the discretionary provisions of the *Subdivision Act*, Amendment C210dare enables Council to capture increased contributions (approximately \$2.5 million dollars per annum), according to need, while undertaking a further strategic review to support a future amendment to mandate an appropriate contribution rate in the Darebin Planning Scheme.

3.1.1 Retention of the 5 per cent rate for 5 or more lots

Proposed Amendment C210dare does not remove the requirement in the Schedule to Clause 53.01 for a 5 percent contribution for subdivisions creating 5 or more additional lots.

Retaining the existing mandatory requirement maintains certainty for Council on contributions for this category of development, rather than introducing the risk of reduced contributions through reversion to the discretionary provisions under the *Subdivision Act*. In the context of the shortfall in current open space revenue when compared to Council’s identified future open space need, the potential for lesser funds to be collected would disadvantage the broader community and future population.

Development that incurs a 5 per cent contribution under the current scheme would be no worse off as a consequence of Amendment C210dare. Retention of the 5 per cent rate provides continuity and certainty regarding the financial obligations for larger developments to contribute to public open space improvements. Further, in the context of broader metropolitan Melbourne a 5 per cent levy is at the lower end of specified contribution rates. As shown in Table 2, council mandatory contribution rates typically range from around 5 to 8 percent.

Table 2 Open space contributions across planning schemes

Council	Rate
Banyule	5% (two or more additional lots) for all land.
Bayside	5% for all land.
Boroondara	Open space contribution guidance written into 19.02L which specifies a 5% contribution for all non-exempt land.
Brimbank	5% for all residential and commercial land.
Frankston	5% for all land.
Glen Eira	8.3% for all land (with exceptions).

Hobsons Bay	5-7.1% for specific precincts only. Defers to the Subdivision Act for all other land.
Kingston	8% in nominated Activity Centres. 5% for all other land.
Knox	Minimum 5% for lots greater than 725sqm. Minimum 8.5% for lots less than 725sqm.
Maribyrnong	Minimum 5.7% for subdivisions greater than 10 lots. 5.7% for all other land.
Manningham	8% for land in ACZ1. 5% for all other land.
Maroondah	5% for all land.
Melbourne	8% - Fishermans Bend. 5-7.06% for other precincts.
Merri-bek	Varying precinct contribution rates ranging from 2.5-6.8%.
Monash	10% in CDZ2. 7.61% for all other land.
Moonee Valley	Minimum 5% for subdivisions greater than 10 lots. 5% for all other land.
Port Phillip	8% - Fishermans Bend. 5% for all land.
Stonnington	Separate rates for east and west of the municipality. 5% (east) and 8% (west) based on need and anticipated demand.
Whitehorse	Minimum 4% for nominated strategic sites. 4% for all other land.
Yarra	Proposed Amendment C286dare proposes 8.67%. 4.5% for all land.

Lastly, maintaining the existing 5 per cent mandatory contribution avoids potential impact of increased administrative costs for Council resulting from:

- increased administrative burden in managing a discretionary rate for this development category.
- increased likelihood that conditions requiring contributions may be challenged through reviews by tribunal (VCAT).

3.2 Sliding scale is an outdated provision

The sliding scale was introduced with the schedule via Amendment C050 in 2004 and is considered to be a legacy¹ of the *Victorian Code for Residential Development – Multi-Dwellings* which existed 10 years prior. It is a long-outdated tool that is no longer fit-for-purpose, particularly in the context of an inner-middle ring municipality such as Darebin, where development density is increasing and opportunities for additional open space are more restricted.

An analysis of open space planning scheme provisions across Melbourne shows that 5 per cent is akin to a 'base rate' in the metropolitan context, with rates below 5 per cent rate a

¹ [2011] VCAT 618 (Stupak).

rare exception – see Table 2. This provides further evidence that the 2-4 per cent sliding scale is outdated and not fit-for-purpose. As can be seen in Table 2, a sliding scale of this nature is not featured across other Victorian planning schemes.

3.3 Potential for community benefit uplift

As outlined above, the sliding scale currently in the Darebin Planning Scheme to determine open space contributions imposes a cap on contributions when compared with the provisions of the *Subdivision Act*, which enables up to 5 per cent for any given subdivision. This setting artificially constrains Council’s ability to require contributions more aligned with identified public open space needs. As more housing is accommodated in established areas, and the cost of infrastructure upgrades and land acquisitions continue to escalate, it is the future community that is potentially impacted by this imbalance.

Based on analysis of development applications over the past 5 years, Amendment C210dare could result in additional revenue of approximately \$2.5 million per annum, assuming a similar rate of future development. This is funding that enables council to reduce the existing shortfall for open space whilst an amendment to implement a revised rate is prepared and implemented, translating directly to community benefit.

While there is increasingly a move toward high density apartment applications within Darebin, the vast majority (85%) of all subdivision applications (for more than two lots) over the past five years have been for 5 lots or less. As these developments fall under the artificially restrictive sliding scale, they are key to the potential revenue and community benefit upside of Amendment C210dare.

9.8 CT202425 CONTRACT AWARD FOR KP HARDIMAN RESERVE PAVILION

Author: Capital Project Manager

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

The KP Hardiman Reserve pavilion redevelopment project aims to address the lack of gender-inclusive facilities for sporting clubs in Darebin, while also replacing the existing pavilion, which is in poor condition and no longer meets the community's needs.

In 2023/2024, detailed designs for the new pavilion were completed and presented to Council in a briefing session held in September 2024, before moving into the public tender process. Council sought to engage a qualified contractor to lead the construction, with the goal of delivering the new pavilion for community use by January 2026.

A tender evaluation was completed through a detailed evaluation process, financial checks and risk assessment.

This report presents the outcome of the tender process and seeks Council's approval for the recommendation put forward by the tender evaluation panel.

If endorsed, the contract will be effective beginning in February 2025 and concluding on 31 November 2026.

Officer Recommendation

That Council:

1. Award contract No. CT202425 KP Hardiman Pavilion to _____ for the contract sum of \$_____ (exclusive of GST).
2. Approves a contingency amount of \$_____ (exclusive of GST), approximately 10% of the contract sum, to cover variations and unforeseen items under contract No. CT202425.
3. Authorises the Chief Executive Officer execute any contract variations on behalf of the Council.
4. Authorises the Chief Executive Officer (or their delegate) to finalise and execute the contract documents on behalf of the Council.

BACKGROUND / KEY INFORMATION

KP Hardiman Reserve is a 14-hectare park located on Plenty Road in Kingsbury. The hockey pitch and pavilion have been seasonally licensed to the La Trobe University Hockey Club, a long-term tenant, for over 30 years. The reserve's turf area is regularly used by local residents for recreational activities such as dog walking and is informally allocated for pre-season training by AFL and soccer clubs.

The pavilion redevelopment project was identified as a high priority by Council in the 2020 Outdoor Sports Infrastructure Framework. In 2017, Council engaged Otium to conduct a Facility Audit and Feasibility Study, assessing the future development of KP Hardiman Reserve and reviewing hockey facilities across Darebin.

The existing pavilion was assessed in the 2020 Outdoor Sports Infrastructure Assessment Audit and found to be in very poor condition. The audit identified significant structural issues, including movement in the slab and walls, and highlighted that the facilities were outdated and no longer functional. Key areas, such as the change rooms, kiosk/kitchen, accessibility, storage, and car parking, were all rated as very poor. The pavilion also fails to meet the requirements for female-friendly facilities necessary to support multi-gender sports participation. With outdated amenities, limited accessibility, and change facilities that have reached the end of their useful life, the building is no longer fit for purpose.

In June 2024, Council allocated \$3,000,000 in the 4-year Capital Works Program to fund the construction phase of the project, with funding split as follows: \$1,020,000 in 2024/2025 and \$1,980,000 in 2025/2026.

In 2024/2025, detailed designs for the new pavilion were completed by architects Brazel & Haley. Following this, officers issued a public open tender for the construction of the new facility, in accordance with Council’s Social and Sustainable Procurement Policy.

Usage and Participation

Over the past 10 years, La Trobe University Hockey Club has seen its participation nearly double, with female participation now comprising 40%. This growth has established the club as one of the leading community sports organisations in Darebin. The club currently supports 310 players across 20 teams, including 12 adult teams (4 women’s teams), 8 junior teams, and the Hookin2Hockey junior starter program.

Both the hockey pitch and pavilion are in highly utilised, with an average of 36 hours of use per week throughout the year. With the planned gender-inclusive upgrades, the club expects an increase in usage, driven by expanded training, competition, and participation programs for women and girls, as well as beginner-friendly and social activities.

The upgraded pavilion will also benefit the broader Darebin community, supporting active recreation, casual sports bookings, and community events in the social room, depending on available operational resources to activate this space.

The graph below illustrates current participation data from the La Trobe University Hockey Club:

Profile	Participant Number
Participants overall	310
Usage per week (H)	36
Teams	20 (in total)
Women & Girls	122 (40%)
Men & Boys	188
Culturally & linguistically diverse members	10%
Aboriginal & Torres Strait Islander peoples	2%
Concession card holders	5%

** With the gender-inclusive upgrade of facilities, it is expected La Trobe University Hockey Club Darebin would increase their weekly usage by at least an additional 8-9 hours to accommodate three junior teams and their women's team at the ground.*

Existing Site Conditions and Impact

The existing pavilion at KP Hardiman Reserve presents a significant challenge for the sporting clubs based there, particularly in attracting and retaining both female and male players. The lack of dedicated, gender-inclusive change rooms has limited the growth potential of these clubs. Additionally, the pavilion's inadequate social space and canteen facilities have been long-standing issues, restricting the clubs' ability to generate revenue and impacting their financial sustainability.

To address these challenges, the new design by Brazel & Haley Architects has been carefully developed. It focuses on improving functionality and inclusivity, with careful attention to material choice, passive design principles, and accessibility.

Key Construction Deliverables for the New Pavilion:

- A larger social function room
- Kitchen and kiosk facilities, with ample storage
- Home and away team change rooms, including associated amenities
- Referee change rooms and amenities
- Public restrooms
- Accessible amenities, available to both the public and players
- Comprehensive storage options (including internal, external, and space for services)
- A dedicated first aid room
- Cleaner's storage space
- Minimal landscaping and external works



Architectural drawing of the new pavilion prepared by Brazel & Haley. The upgrade project will deliver a modern, functional, safe, welcoming and environmentally sustainable facility that is tailored to meeting the needs and improved experience of women and girls as a player, coach, official, volunteer or spectator.

Confidentiality

Confidential information is contained in Appendix A, as circulated in the confidential section of the agenda attachments, in accordance with section 66(2)(a) and the definitions of 'confidential information' in section 3(1) of the *Local Government Act 2020* (Vic). The information relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

The item has been included in the public agenda to facilitate transparency and accountability in Council's decision making. If discussion of the confidential information in the attachment to this report is required for Council to make a decision, this item will be deferred to the confidential section of the agenda.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

1.2 We will help to build an inclusive and empowered community, where social cohesion and community harmony are fostered

2.1 We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well

1-13: Work with our sporting and recreation clubs to increase participation.

2-9: Redevelop KP Hardiman Pavilion in Kingsbury.

DISCUSSION

Public Tender

In line with Council's Social and Sustainable Procurement Policy 2021, a public tender process was conducted to select the preferred contractor. The tender was advertised on Council's online portal and in *The Age* newspaper. The tender conditions followed Council's Standard Request for Tender document, while the contract terms were based on the AS4000-1997 General Conditions of Contract. Submissions were invited to submit lump sum price proposals, in accordance with the project specifications.

Request for Tender (RFT)

The RFT was issued on the 5 October 2024 and closed on 31 October 2024. Tenderers were also given the opportunity to visit the site on 16 October 2024. Details of the tenderers who submitted proposals by the closing date and time are outlined in Confidential Report **Appendix A** issued under separate cover.

Tender Evaluation

Submissions were evaluated against the following pre-established criteria:

- Price
- Demonstrated previous experience and capability
- Proposed methodology

- Program and availability
- Local business objectives
- Social initiatives and practices
- Sustainable initiatives and practices
- Compliance: Conflict of interest declaration, OH&S and WWCC
- Compliance: Certificates of currency for required insurances and Workcover
- Compliance: Financial Viability
- Compliance with Specifications
- Compliance with Agreement

The evaluation details, final scores and resulting matrices are provided in confidential **Appendix C** issued under separate cover.

Tender response

At the close of tendering, a number of submissions were received. See confidential **Appendix A** issued under separate cover for details of the tenders received.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

- **Timeline and funding sources**

This project is scheduled for delivery over two financial years, spanning 2024-25 and 2025-26. It was included in the Council's four-year Capital Works Program, which was endorsed in June 2023. The project will be fully funded by Council.

Project Budget

Year	Project Budget (ex. GST)
2023/2024	\$220,000
2024/2025	\$1,020,000
2025/2026	\$1,980,000
Total	\$3,220,000

A detailed total project cost estimate and further financial details of the project can be found in the confidential attachment **Appendix A** issued under separate cover.

Future Year Budget Commitment

Significant budget pressures require careful management

High inflation and very high construction sector inflation has put substantial budget pressure on the local government sector, including Darebin. In the last four years costs have increased more than revenue by an estimated \$78 million. Council has managed this significant pressure by improving efficiency, deferring some work and by reducing funding for infrastructure. With higher prices, and in order to remain financially sustainable, Council must carefully monitor and prioritise its budgets for the 4-year Council term and beyond.

This decision and financial effects

This report delivers on a previous Council decision and commits funding in future years budget years for a project which both renews an existing facility at end of life, and extends and improves it.

Decisions that commit to capital improvements like this one will be incorporated into the draft 2025-26 budget and have the effect of reducing remaining budget available for other priorities. The draft budget will be discussed with Councillors and further developed ahead of community consultation in the first half of 2025.

Most of Council's capital budget funds replacement at end of life of Council's infrastructure and assets including roads, drains, buildings and parks infrastructure. The capital improvements budget funds activities that expand, improve or add new assets and this budget is forecast at \$5m per year for the next four years.

For this project, the 2025-26 project costs would be funded as follows:

- \$989K would come from Council's Capital Improvements budget
- \$1.4M would come from Council's Capital Renewal budget.

Community Engagement

Community engagement and communication was undertaken in October 2023 to inform residents, the wider community and relevant stakeholders of the impending tender and construction. Activities undertaken (with translations to community language) were as follows:

- Letter drop to properties within 500m radius of KP Hardiman
- Onsite signage
- Signage at Preston Library
- Darebin website project page

Stakeholder Consultation

Officers have undertaken thorough stakeholder consultation throughout all stages of design. This consultation has informed the design and optimised the functional performance of the building.

The following internal stakeholders have been consulted:

- City Development – Statutory Planning
- City Futures – City Design
- Parks and Open Space – Tree Management and Turf Management

- Climate Emergency and Sustainable Transport – Transport Engineering and Climate Risk
- Assets and Capital Delivery – Facilities Management
- City Safety and Compliance – Health Protection
- Property and Asset Strategy
- Equity and Wellbeing

The following external stakeholders have been consulted:

- Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation
- La Trobe University Hockey Club (current tenant)
- Hockey Victoria (State Sporting Association)
- La Trobe University Sport
- Darebin Creek Management Committee
- External services authorities e.g. Yarra Valley Water, Melbourne Water, Telstra, Jemena

A communications plan will be developed prior to any construction to inform both the community and key stakeholders of the project, progress and impacts. Engagement activities will include:

- Letter drop to properties within a 500-metre radius of KP Hardiman Reserve
- On-site signage
- Darebin website project page
- Social media engagement
- An article in the Leisure Review Community e-newsletter
- Translations into key community languages

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;

Service Performance Principles

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

In line with Darebin's declaration of a Climate Emergency and its broader environmental sustainability commitments, the tender evaluation criteria benefited suppliers who demonstrated a strong commitment to minimising environmental impacts through their processes and practices. The recommended supplier met the Tender Evaluation Panel's (TEP) expectations, showing that their environmental practices align with Darebin's sustainability goals.

A key aspect of this project was internal consultation to ensure the redevelopment of KP Hardiman Pavilion met Council's environmentally sustainable design (ESD) policy objectives. The project's design achieved a 67% BESS (Built Environment Sustainability Score) rating, surpassing the initial ESD policy minimum of 60%. The design was subsequently revised to incorporate additional environmental features, aligning more closely with the updated ESD policy requirements adopted in February 2024. If the budget allows, solar panels may be installed, further improving the sustainability score.

The pavilion's design includes several sustainability initiatives valued at approximately \$220,000, such as:

- Solar PV system
- Heat pump hot water units
- All-electric, high-efficiency appliances
- Strong passive design principles

Equity, Inclusion, Wellbeing and Human Rights Considerations:

In line with Darebin's Social and Sustainable Procurement Policy, the tender evaluation criteria gave weight to social initiatives and practices. Tenderers were assessed on their ability to demonstrate commitment to address disadvantage, improve equity and deliver social value.

Economic Development and Cultural Considerations

The evaluation criteria gave weight to Darebin based businesses and/or suppliers who could demonstrate local economic contribution through regular purchasing from local traders or the employment of local people. These factors were viewed favourably in line with evaluation criteria.

Operational Impacts

Operational impacts have been carefully considered in consultation with Parks and Open Space and Facilities Management to ensure the project does not cause any unintended disruptions to access to the hockey pitch, turf maintenance, or the continued operation of the existing pavilion during construction.

The KP Hardiman Pavilion and carpark will be partially closed for the duration of the construction, which is expected to last approximately 12 months. There will also be temporary closures of certain areas of the sports field while adjustments are made to surrounding fences and gates. However, alternative access points to the sports field will be available during this period.

Community access to the function space will be reviewed once the pavilion is operational. Officers will assess potential opportunities, resource requirements, and leasing arrangements at that time.

Legal and Risk Implications

Due diligence activities have been undertaken including soil investigations, which identified indigenous artifacts – this finding is being managed through a Cultural Heritage Assessment and Management Plan.

Probity

An independent probity advisor was also appointed to oversee this procurement process, and the resulting report is included in confidential **Appendix B** issued under separate cover.

IMPLEMENTATION ACTIONS

The contract is scheduled to commence in February 2025, with on-site works expected to begin shortly thereafter. The pavilion redevelopment is anticipated to reach practical completion within 30 weeks, by the end of November 2025, subject to any granted extensions of time or delays due to inclement weather.

Additionally, the contract includes a defects liability period of 52 weeks, starting from the date the practical completion certificate is issued by Council's superintendent to the contractor.

Table: Project Program

Stage	Indicative Dates
Council Meeting (Award Construction Contract)	December 2025
Award Construction Contract	February 2025
Commence Construction	March 2025
Complete Construction – Practical Completion	October 2025
Defects rectification, final completion and handover	November 2025
End of Defect Liability Period	October 2026

RELATED DOCUMENTS

Attachments

- Contract Award CT202425 - Award for KP Hardiman (Appendix A) Enclosed under separate cover (**Appendix A**) Confidential - enclosed under separate cover
- Probity Report (Appendix B) Enclosed under separate cover Confidential - enclosed under separate cover (**Appendix B**) Confidential - enclosed under separate cover
- Tender Evaluation Matrix (Appendix C) Enclosed under separate cover Confidential - enclosed under separate cover (**Appendix C**) Confidential - enclosed under separate cover

- Financial Assessment Results (Appendix D) Enclosed under separate cover
Confidential - enclosed under separate cover (**Appendix D**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

9.9 LEASE TO FLOW POWER - NEIGHBOURHOOD BATTERY AT 2 WINGROVE STREET ALPHINGTON

Author: Team Leader Leasing and Licensing

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends that Council establish a lease with Flow Power, for the installation of a neighbourhood battery in partnership with Village Power at Village Power's preferred location within Council's land located at 2 Wingrove Street, Alphington (**Attachment A - Site Plans - Neighbourhood Battery and Licensed Areas**).

Council previously resolved to approve in principle a full commercial lease between Village Power and Council for a period of 9 years at 2 Wingrove Street, Alphington. Council and Village Power have been working together on this lease agreement but due to unforeseen issues with Village Power obtaining insurance, are unable to finalise and enter into the lease.

Village Power has identified a commercial partner, Flow Power, to take on ownership and insurance of the battery and to implement Village Power's battery subscription model.

As owner and operator of the battery, Flow Power would hold the lease agreement with Council and therefore amendment of the previous resolution is required to reflect a lease to the proposed alternative tenant.

Officer Recommendation

That Council:

1. Notes that, despite the best efforts of the organisation, Village Power are unable to meet the requirements of a lease with Council due to issues obtaining insurance.
2. Not proceed with its decision on 18 December 2023 to grant a new lease to Village Power.
3. Grants a new lease to Flow Power to occupy part of Council's land located at 2 Wingrove Street, Alphington, for the establishment of the community battery in partnership with Village Power. The lease will be drafted to include the following key terms and conditions:
 - a) Initial Lease term of 9 years with no option for a further term
 - b) Full Market Rental Value as determined by Council's valuer
 - c) Rent increases: 3% per annum
 - d) Lease Area – Approximately 15 square metres.
 - e) Break Date – Council will have the right to terminate the lease at any time after six years from the commencement date of the lease at no penalty to Council.
 - f) Community benefit reporting – Village Power to provide Council with annual reports on the benefit this battery installation is providing to the community and the environment.
4. Notes there is no requirement for community consultation to establish a lease for Council property in accordance with *Section 115 of the Local Government Act 2020*.

5. Authorises the Manager Buildings, Property & Capital to negotiate and finalise all other terms and conditions of the lease.
 6. Notes that Flow Power intends to deliver the battery and have it operational by a date no later than December 2025.
-

BACKGROUND / KEY INFORMATION

Village Power is a non-for-profit organisation that seeks to support the transition to renewable energy infrastructure. Village Power and Darebin worked together in 2021/2022 to study the possibility of installing a subscription model community battery to service a sector of the Darebin community. Village Power undertook a feasibility study in 2022 on viable spaces within Darebin municipal boundaries. Ultimately, it was determined that 2 Wingrove Street Alphington, was the most suitable location for a neighbourhood battery and that there is a market opportunity to deliver such a project, which will be the first of its kind in Victoria.

In August 2023, Village Power received a grant of \$750,000 from the Department of Energy, Environment and Climate Action (DEECA) to implement the first subscription model community battery in Victoria.

On 18 December 2023, Council passed a resolution to grant a new lease to Village Power to occupy part of Council's land located at 2 Wingrove Street, Alphington to facilitate delivery of this community battery. Village Power and Council had been working together on finalising lease terms.

Insurance Issues

It is a standard condition under Council's lease agreement that, when leasing property from Council where the Tenant builds or installs their own improvements, the Tenant would obtain insurance for their asset and provide Council with evidence of the same.

Between January and September 2024, Village Power contacted seventeen insurance brokers and companies for insurance coverage without success. Village Power also approached other community organisations for advice and learned that other non-for-profit organisations have encountered the same problem.

Three potential solutions were put forward by Village Power at this stage:

1. **Council adds the battery to its asset portfolio insurance policy, with battery ownership remaining with Village Power**

This was assessed by Council officers as not a viable option - it is Council's practice not to add another party's property to its insurance portfolio. Doing so would put Council at unnecessary risk and may lead to an increase in the cost of Council's insurance premiums. No added community benefit was identified in Council playing this role.

2. Council takes on ownership of the battery so that it can provide insurance

This was assessed by Council officers as not a viable option – Council does not manage electricity network assets and doesn't have the necessary expertise or systems in place to operate such equipment and taking on the asset would increase Council's risk. No added community benefit was identified in Council taking on this type of role.

3. A commercial partner owns and insures the battery

This was assessed by Council officers as a viable option, subject to Council approving the lease to a commercial partner in place of Village Power.

Proceeding on the basis of the third option, Village Power identified Flow Power as a potential commercial partner who were willing to own and insure the battery. The Department of Energy, Environment and Climate Action (DEECA) is supportive of this option as long as the project can be implemented in 2025.

Flow Power

Flow Power was selected by Village Power as their preferred commercial partner to operate the battery and implement the battery subscription model through a competitive request for tender (RFT) process.

Flow Power's is a specialist energy retailer whose vision is to accelerate the renewable energy transition together with their customers. Since developing Australia's first corporate Power Purchase Agreement (PPA) model in 2017, the company has supported over 2 GW of solar and wind projects. Flow Power is also a renewable energy project developer, builder and operator, with a significant portfolio of solar, wind and storage projects.

Flow Power is authorised by the Australian Energy Regulator to retail large and small-market electricity in Queensland, South Australia, Victoria, New South Wales (including the ACT) and Tasmania. Flow Power currently has approximately 150 (FTE) employees across Australia.

Customers include close to 1,000 individual businesses and agencies, together with residential retail customers across Victoria, New South Wales and South Australia.

Previous Projects

In partnership with the community energy group Renewable Newstead, Flow Power financed, developed, built and connected the Newstead Energy Project in Central Victoria. This project consists of a 3 MW solar farm and a 5.5 MWh BESS. The project was developed to support community residents and businesses with a unique retail offering, allowing them to access cheaper, locally generated, renewable energy.

Flow Power developed the Shoalhaven Community Solar Farm in partnership with RePower Shoalhaven, a community investment group with equity in the project. This project is a 4MW solar farm, and the development structure allowed for members of the community to earn financial returns from the project. Flow Power has made a portion of the offtake from this solar farm available to residents and local businesses in the local community and the project has been active since December 2021.

Awards

2024 **Leading Energy Management Innovation Award**
 Energy Efficiency Council
 “Building Intelligent Demand Response in South Australia (SABIDR)” project.

In response to an invitation by the Government of South Australia, Flow Power designed a technology-based solution capable of saving South Australian businesses money on their electricity bills and reducing strain on the grid. They integrated their trademark technology, the kWatch® smart energy controller, into customer sites to enable automated demand response during market volatility. The success of the project has led to individual customer savings of up to \$57,000 per annum and expansion of intelligent demand response across Australia.

2023 **Under 100 kW Commercial Award (jointly)**
 Clean Energy Council Solar Design & Installation Awards

Awarded for a technically challenging installation of an off-grid 96.8 kWp solar PV system at Lake Mountain Alpine Resort, with 167 solar panels installed at altitude on a 40-degree sloped roof, which helped the client to decarbonise.

2014 **Industry Best Practice in Solar Energy**
 Clean Energy Council

Recognising the high standards for design and installation delivered by Flow Power. The Flow Power team proudly remains the award’s only recipient.

Flow Power and Village Power Contract

Below are the respective responsibilities of Flow Power and Village Power under their proposed contract:

Flow Power	Village Power
Leases land from Council under a lease agreement	Manages the grant agreement with DEECA to fund the battery’s implementation
Insures the battery	Engages with the community throughout project delivery through Village Power’s Community Advisory Panel
Completes the relevant project development activities and delivers the battery on a mutually agreed timeline to meet DEECA’s requirements	Leads the battery artwork selection process through Village Power’s Art Working Group (includes community members, art professionals and Council)
Maintains and operates the battery	Supports the subscriber recruitment process, including defining subscriber eligibility and selection requirements and marketing the program to Village Power members and the Alphington community
Undertakes customer acquisition and marketing activities necessary to acquire and retain the Alphington Battery subscriber base	Engages with the subscriber community to provide information and receive feedback on the subscriber model
Implements the Village Power subscriber model	Implements and maintains an app (or similar platform) for subscribers to view community data and their progress towards subscriber community carbon reduction goals

Flow Power	Village Power
Provides Village Power with anonymised data of the Alphington Battery subscribers to support development of an app (or similar platform). This data will also be used by Village Power to support Council reporting	Engages with researchers to study the battery's impact on household energy use and behaviour change
Provides Village Power with an annual payment to support ongoing operational needs	Provides Council and DEECA with annual reports on the benefit this battery installation is providing to the community and the environment.
Remediates the site to the satisfaction of Council at the end of the lease	

Battery benefits

The battery is intended to directly service and benefit up to 100 households. These benefits include:

- Supporting solar uptake by increasing capacity for households to export energy to the grid
- Reduce electricity costs through a subscription model to the battery
- Improve community connectedness and energy resilience
- Improve community models.

Details of the Installation

The design, development and installation of the battery will be undertaken in consultation with Council's Climate Emergency and Sustainable Transport department. Village Power have provided some images of a similar project delivered in Fitzroy (Attachment B – Comparable battery).

Previous Council Resolution

At its meeting held on 27 May 2024, Council resolved in part:

That Council:

- [...]
- (7) *Directs that future decisions related to short, mid and long term use of at 2 Wingrove Street Alphington be reported to Council meetings for decision as follows:*
- (a) *Decisions relating to the future use of the site including establishment of leases or licences.*
 - (b) *Decisions at key stages of the work towards master planning including approval of the project plan (and scope), approval of the community engagement plan, receiving the feasibility study and decisions about outcome of any future EOI process.*
 - (c) *For avoidance of doubt, other currently delegated functions relating to this site are unchanged.*

At its meeting held on 18 December 2023 Council resolved:

That Council:

- (1) *Note that in August 2023 Village Power received a grant of \$750,000 from the Department of Energy, Environment and Climate Action (DEECA) to implement the first subscription model community battery in Victoria.*
- (2) *Grant a new lease to Village Power to occupy part of Council's land located at 2 Wingrove Street, Alphington, for the establishment of the community battery. The lease will be drafted to include the following key terms and conditions:*
 - a. *Initial Lease term of 9 years with no option for a further term*
 - b. *Reasonable Market Rental Value as determined by Council's valuer, noting that Village Power is a community based organisation*
 - c. *Rent increases: 3% per annum*
 - d. *Lease Area – Approximately 15 square metres.*
 - e. *Village Power will be responsible for all maintenance and structural repair of the installation*
 - f. *Village Power and Council to be responsible for their own Legal Fees*
 - g. *Break Date – Council may have the right to terminate the lease at anytime after six years from the commencement date of the lease at no penalty to Council.*
 - h. *Community benefit reporting – Village Power to provide Council with annual reports on the benefit this battery installation is providing to the community and the environment.*
- (3) *Note there is no requirement for community consultation to establish a lease for Council property in accordance with Section 115 of the Local Government Act 2020.*
- (4) *Authorise the CEO Manager Property and Asset Strategy to negotiate and finalise all other terms and conditions of the lease without passing on additional costs.*
- (5) *Note that Village Power intends to deliver the battery and have it operational by a date no later than 31 December 2024.*

Additionally, although not a direct resolution, at its special meeting held on 25 January 2023 in relation to 2 Wingrove Street, Alphington, Council resolved:

That Council:

...

(4) Note that Council does not have a master plan for the long-term use of this property and, in light of the end of the lease, that work will commence to develop a Master Plan for 2 Wingrove Street Alphington to determine the long-term future of the property with consideration to the 2041 Darebin Community Vision.

...

(8) Note that 2 Wingrove St Alphington has been identified as a potential site for the installation of a community battery within Darebin, and provision will be made for land of approximately 40 to 60m² to be removed from the EOI for this property to support installation and community benefit should the grant funding be approved for a community battery.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-2025 COUNCIL PLAN

Strategic Direction 3: Climate, Green and Sustainable

Neighbourhood batteries are considered an important part of the energy transition as they provide a middle scale, local solution to the energy storage required to maximize energy production from renewable energy. Neighbourhood batteries are intended to help soak solar from local Solar PV, ensuring network reliability and reducing energy losses.

Neighbourhood batteries are still in the development stage. As such proof of concepts are required for some models such as the proposed, which is based on an energy sharing model. This model not only helps increase the renewable energy, but also increases community awareness in the energy sector, increases community connectedness and resilience.

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.1 We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well

2.5 We will invest in services and the built environment to improve access for our residents and visitors

4.2 We will ensure our assets are optimised for the benefit of our community

4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

DISCUSSION

On 18 October 2024, property officers met with Flow Power and Village Power to understand and discuss the insurance issue. The discussion centred on whether there was an option to proceed with the lease to Village Power under the 18 December 2023 Council resolution, while Flow Power retained ownership of the battery. Ultimately, it was determined that Flow Power needs to hold the lease with Council in order to insure the battery.

Flow Power's essential terms for this new lease arrangement are the similar to those that Village Power expressed in 2023, with adjustments to timeframes:

- The battery installation needs to provide at least 5 years of operational life. As such, after allowing one year for installation and commissioning of the battery unit, the lease could not be terminated by a break clause before the end of the sixth year of the lease.
- The lease for the battery installation needs to be confirmed in December 2024.
- The battery installation needs to be operational as soon as feasible in 2025.
- The battery installation needs to be installed along the Wingrove Street boundary of the site to enable it to be connected into the required electrical distribution feed.

Council's limitations remain as discussed in 2023:

- The subject property is regarded as a redevelopment site and is to be subject to a Masterplan, which is to be developed over the next 5 years.
- It cannot offer a lease longer than six years if the neighbourhood battery installation is to be located on any part of the land that is not subject to land fill without a break clause being included into the agreement.

- The location of the neighbourhood battery cannot impact the operation of the current licensees on the property.

The proposed Lease terms and conditions would remain substantially the same as those previously endorsed under the previous resolution, being:

- Term – 9 years with no option for a further term
- Rent – Full Market Rental Value for the occupied land as determined by Council's valuer
- Rent increases: 3% per annum
- Lease Area – Approximately 15m² of land area. To be confirmed after selection of the battery as batteries vary in dimension.
- Location – As shown as Option C in Attachment A being the southern boundary of 2 Wingrove Street.
- Maintenance – **Flow Power** will be responsible for all maintenance and structural repair of the installation, including graffiti removal.
- Make Good – **Flow Power** to remediate the site to the satisfaction of Council.
- Break Date – Council will have the right to terminate the lease at any time after six years from the commencement date of the lease at no penalty to Council and with Council having no requirement to find an alternate location for the battery. (It is not expected that the battery installation will be operational until mid-2025 and the operator requires 5 years of operational life)
- Community benefit reporting – Village Power to provide Council with annual reports on the benefit this battery installation is providing to the community and the environment.

Note that the granting of this Lease will not impact on the operation of any of the current Licensees at 2 Wingrove Street, Alphington.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

Council will receive a commercial rent for the leasing of the land; however, this is not expected to be a significant value given the area to be leased to Flow Power is only 15 square metres.

The non-tangible benefit of the neighbourhood battery will be the environmental benefit it will provide to that part of the Darebin community it will serve.

There will be no ongoing cost to Council as Flow Power will be responsible for the maintenance, repair, and removal of the battery.

Community Engagement

The proposed lease does not meet the thresholds that require Council to undertake a statutory community engagement process, in accordance Section 115 of the *Local Government Act 2020*, that states:

3. *A Council must include any proposal to lease land in a financial year in the budget, where the lease is—*
 - a. *for one year or more and—*

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The battery is intended to directly service and benefit up to 100 households. These benefits include:

- Supporting solar uptake by increasing capacity for households to export energy to the grid.
- Reduce electricity costs through a subscription model to the battery.
- Improve community connectedness and resilience.
- Improve community models.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

An Equity Impact Assessment has not been undertaken on the proposed lease.

Economic Development and Cultural Considerations

There are no economic developments and cultural considerations in relation to the proposed lease.

Operational Impacts

Flow Power and Village Power acknowledge that Council’s proposal to provide it with a nine-year lease will be subject to a break clause which enables Council to take back the site after 6 years. This provision ensures that Council may use the land for an alternative purpose under any future proposed Master Plan should it decide to do so whilst enabling Flow Power and Village Power to have at least five years of operation.

Legal and Risk Implications

Council engaged a solicitor to prepare the Lease document to ensure that any risk to Council, is mitigated or significantly reduced.



IMPLEMENTATION ACTIONS

- Council meeting: 16 December 2024
- Issue Lease Agreement: January 2025
- Finalise Lease execution February 2025
- Flow Power to install battery Mid to Late 2025

RELATED DOCUMENTS

Nil

Attachments

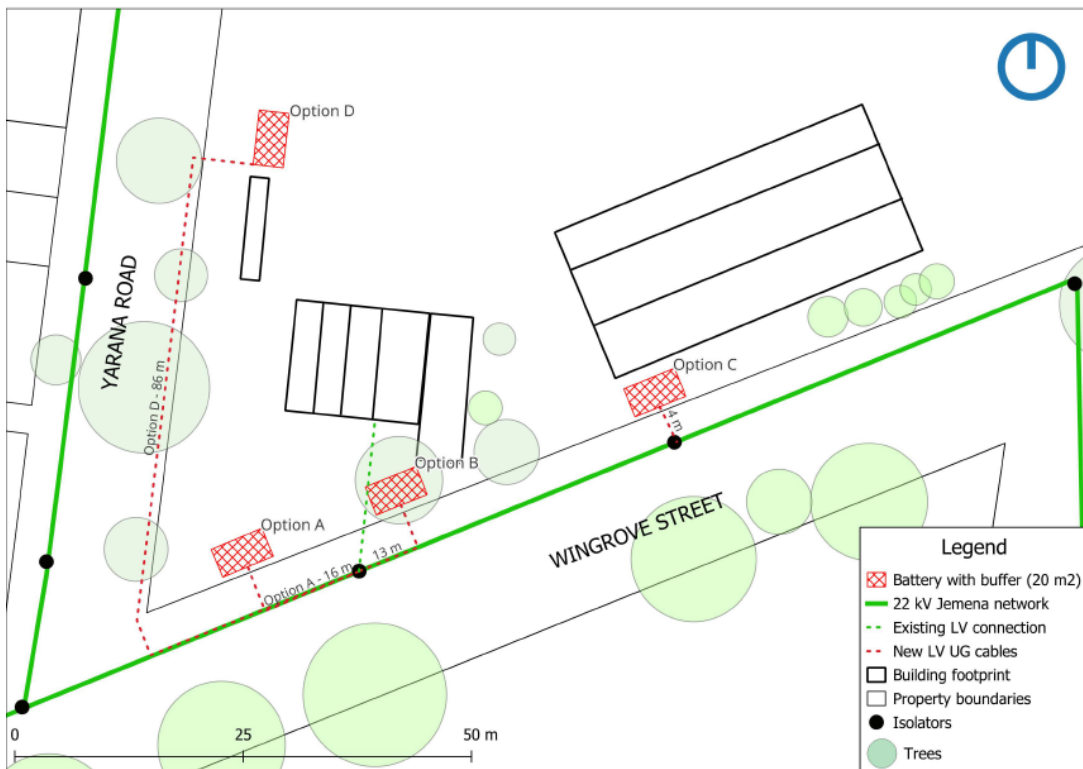
- Site Plans - Neighbourhood Battery and Licensed Areas (**Appendix A**) [↓](#) 
- Comparable batteries (**Appendix B**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachment A : Site Plans - Neighbourhood Battery and Licensed Areas





9.10 PROPERTY MATTERS – LEASING OF PART OF BUNDOORA PARK FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A TELECOMMUNICATION MONOPOLE

Author: Coordinator Property Services
Team Leader Leasing and Licensing

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the amended lease terms and conditions offered to Amplitel Pty Ltd, to construct, operate and maintain a telecommunications monopole and battery extension cabinet at Snake Gully Drive, Bundoora Park.

The lease was previously endorsed by Council at a meeting in September 2022, however the key lease terms as put out to community engagement and endorsed by Council were incorrectly recorded, and so further engagement was required on the correct lease terms.

In August 2024 Council resolved to give public notice of its intention to proceed with a lease on amended terms. No submissions have been received and this report recommends endorsing the proposed lease.

Officer Recommendation

That Council:

- (1) Notes the decision at its meeting on 26 September 2022 to endorse a lease to Amplitel
 - (2) Notes that due to an administrative oversight, full details of key lease terms were not included in the notice which was put out to the public prior to the 2022 Council decision, and accordingly, it was necessary to conduct a further period of community engagement to meet Council's responsibilities under the *Local Government Act 2020* ('LGA').
 - (3) Notes that no submissions were received in response to Council's public notice to enter into a lease with Amplitel Ltd to lease part of Bundoora Park for the purpose of constructing, operating and maintaining a telecommunications monopole.
 - (4) Enters into a lease with Amplitel on amended terms as follows and as advertised:
 - a) **Term:** 20 years
 - b) **Indicative Commencement Date:** 1 March 2025
 - c) **Lease Area:** Monopole (4500mm x 4500mm) & Equipment cabinet (5000mm x 2500mm)
 - d) **Commencing rent:** \$27,810 plus GST per annum.
 - (5) Authorises the CEO (or delegate) to negotiate all other terms of the lease, and execute any documents required to enter into the lease.
-

BACKGROUND / KEY INFORMATION

Amplitel Ltd (*'Amplitel'*) is proposing installation of new telecommunications infrastructure at Snake Gully Drive, Bundoora to service an identified need to improve 4G and 5G network coverage in the vicinity.

The infrastructure proposed would provide capacity relief for the existing Telstra facilities surrounding Bundoora and carry new local cellular traffic in its vicinity. Especially given the recent end of the 3G network in Australia, the proposed site is considered by Amplitel to be necessary to meet the network demand.

Rather than install a new pole, Amplitel approached Council in late-2021 with a proposal to swap out an existing sporting oval light pole currently in operation at Bundoora Park Oval with a telecommunications pole fitted out with the necessary cabling and infrastructure.

Amplitel is a new company related to Telstra which holds the assets and operations of the business following Telstra's sale of a non-controlling stake in its mobile towers business. It is important to note that Amplitel is the infrastructure arm and does not hold the rights afforded to telecommunication carriers under the *Telecommunications Act 1997*.

Proposed Infrastructure and Works

Amplitel has proposed that an existing 30-metre-high sporting oval light pole be replaced with a 35-metre high, concrete telecommunications monopole. Amplitel would be responsible for remounting Council's existing floodlighting at its current height and orientation

To service the infrastructure on the pole, a new equipment shelter and associated cabling will also be installed in close proximity to the pole.

The pole is located at the South-Western point of the Bundoora Park Oval – this pole has been specifically chosen to minimise the impact on the aesthetics of the reserve and enable suitable connections to the closest electrical pits.

Amplitel has been issued with a planning permit for the proposed installation. There were no objections received during the advertising of the planning permit. The permit is valid for construction commencing by a date no later than June 2025 and to be completed by June 2027.

Per the previous resolution, it has been reinforced throughout negotiations that all works must be undertaken so as to not adversely affect users of the oval.

Construction of the facility would be monitored by Council and all works would be undertaken in accordance with the planning permit issued to Amplitel and Council directions.

Upon completion, additional OHS signage will be installed to ensure the safe operation of the facility when being accessed by Council and Amplitel contractors.

The on-going maintenance of the lights will remain a Council responsibility whilst the maintenance of the pole will sit with Amplitel.

At the expiry of the lease, Amplitel will remove the telecommunications infrastructure from the pole, as well as the equipment cabinet and ownership of the pole itself will revert to Council.

Crown Land Requirements

Bundoora Park Oval is situated on Crown Allotment 15H Parish of Keelbundora (15H\PP2856). Council are the appointed Committee of Management for the whole of the land making up Bundoora Park, under the *Crown Land (Reserves) Act 1978*.

Any lease on Crown Land needs to meet the requirements of section 17D(1) of the *Crown Land (Reserves) Act*, namely that consent must be obtained from the Minister for Environment and the lease must not be longer than 21 years.

Council officers have already obtained the required 'Grant & Purpose Approval' from the Department of Energy, Environment and Climate Action ('DEECA') confirming Ministerial consent to enter into the lease.

Additionally, 'Landowner Consent' has been obtained confirming approval for Amplitel to carry out the installation works on the land.

Previous decision to proceed with lease, but need to amend key terms

This lease was previously endorsed by Council in September 2022.

During negotiation of the lease terms it was noted by Council officers that, due to an administrative oversight, the second lease area (which would include the equipment shelter and associated cabling) was not included in the notice which was put out to the public.

Accordingly, it was necessary to put the corrected lease terms out to a further period of community engagement, as resolved by Council, to ensure that Council was adhering to its responsibilities under its own Community Engagement Policy and the *Local Government Act 2020* ('LGA').

No submissions were received during the community engagement period undertaken between October and November 2024.

Previous Council Resolution

At its meeting on 14 August 2024, Council resolved:

'That Council:

- (1) *Note it has previously resolved, at its meetings dated 23 June 2022 and 26 September 2023, to enter into a lease with Amplitel Ltd to lease part of Bundoora Park for the purposes on constructing, operating and maintaining a telecommunications monopole.*
- (2) *Notes that amendments to the site plans are needed to clarify the lease and as these are key terms, Council must consider if it wishes to proceed, and if so, it needs to undertake a community engagement process.*
- (3) *Commences the statutory procedures under section 115 to the Local Government Act 2020 to lease part of the land located at Snake Gully Drive, Bundoora Park, to construct, operate and maintain a telecommunications monopole and battery extension cabinet shown hatched in **Appendix A** and **Appendix B**.*
- (4) *Gives notice on Council's website of the intention to lease the land in accordance with Council's Community Engagement Policy 2022.*
- (5) *Invites both written and verbal submissions on the proposed lease as part of its community engagement process and deal with any submissions received in line with the principles set out in section 115 to the Local Government Act 2020.*

- (6) *Notes that the submission process will commence after the conclusion of Council caretaker period (17 September 2024 – 25 October 2024).*
- (7) *Notes that any submissions will be considered by Council's Hearing of Submissions Committee at a meeting to be held in the Council Chamber on Monday 9 December 2024 at 7:30pm.*
- (8) *Notes if no submissions are received, a further report be presented to Council on 12 December 2024 to consider completion of the statutory procedures for the lease.*
- (9) *Notes that if submissions are received, a further report will be presented to Council in 2025 to consider completion of the statutory procedures for the lease.'*

At its meeting on 26 September 2022, Council resolved:

'That Council:

Having given notice of intention under section 115 of the Local Government Act 2020 to lease the land at Snake Gully Drive, Bundoora Park:

- (1) *Note that public submissions were invited on the proposed lease with Amplitel Pty Ltd in accordance with Section 115 of the Local Government Act 2020.*
- (2) *Enter into a lease with Amplitel Pty Ltd for part of the land at Snake Gully Drive, Bundoora Park, under the following commercial terms:*
 - (a) **Term:** 20 years
 - (b) **Indicative Commencement Date:** 1 July 2022
 - (c) **Lease Area:** 5000mm x 2500mm (including monopole and associated battery extension cabinet)
 - (d) **Permitted Use:** *Provision of a telecommunication facility including installation, inspection, maintenance, construction, excavation, replacement, repair, renewal, alteration, upgrade, cleaning, operation, access to and from, and removal of facility on the land at the end of the term (excluding the sports field lighting pole which would revert to Council). This includes providing a new sports field lighting pole.*
 - (e) **Commencing rent:** \$27,810 plus GST per annum.
 - (f) **Rent review:** *Market rent review every three years on the anniversary of the Commencement Date. A fixed increase of 3% in intervening years.*
 - (g) **Special Conditions:**
 - i. *Amplitel to work with the affected sporting clubs to determine an agreed timeframe for the installation that works with the sporting season and fixtures.*
 - ii. *Amplitel are responsible for the ongoing maintenance of the pole and light.*
 - iii. *Amplitel to ensure that the telecommunications equipment will not interfere with the working capacity or the ongoing maintenance of the light.*
 - iv. *At the conclusion of the Term, Amplitel are responsible for removing the telecommunications equipment and the monopole will revert to Council.'*

At its meeting on 27 June 2022, Council resolved:

'That Council

1. *Note the proposal received from Amplitel Ltd to lease part of Bundoora Park for the purposes on constructing, operating, and maintaining a telecommunications monopole.*
2. *Endorse the proposal to proceed to community engagement.*

3. *Note that a further report will be provided to Council for decision following community consultation.'*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

- 2.1 We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well
- 2.5 We will invest in services and the built environment to improve access for our residents and visitors
- 4.2 We will ensure our assets are optimised for the benefit of our community
- 4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

DISCUSSION

The proposed key lease terms, including those which were put out to community engagement, are as below:

Term:	20 years
Indicative Commencement Date:	1 March 2025
Lease Area:	Monopole (4500mm x 4500mm) & Equipment cabinet (5000mm x 2500mm)
Permitted Use:	Provision of a telecommunication facility including installation, inspection, maintenance, construction, excavation, replacement, repair, renewal, alteration, upgrade, cleaning, operation, access to and from, and removal of facility on the land at the end of the term (excluding the sports field lighting pole which would revert to Council). This includes providing a new sports field lighting pole.
Commencing Rent:	\$27,810 plus GST per annum.
Rent Review Method:	Market rent review every three years on the anniversary of the Commencement Date. A fixed increase of 3% in intervening years
Outgoings/Utilities/Legal Costs:	All outgoings and usage charges for the relevant area are payable by Amplitel, including rates, taxes, and insurance Amplitel must arrange for installation of a separate electrical meter at its own cost. Amplitel is required to pay Council's reasonable legal costs for the preparation, negotiation and execution of the lease document.
Maintenance:	All structural and non-structural maintenance and repairs will be carried out by Amplitel (with exception to the remounted light fittings).
Special Conditions:	1. Amplitel must work with the affected sporting clubs to determine an agreed timeframe for the installation that works

- with the sporting season and fixtures.
2. Amplitel are responsible for the ongoing maintenance of the pole, however, Council will be responsible for the ongoing maintenance of the remounted light fittings.
 3. Amplitel must ensure that the telecommunications equipment will not interfere with the working capacity of the lights.
 4. At the conclusion of the Term, Amplitel are responsible for removing the telecommunications equipment and the ownership of the monopole will revert to Council.
 5. Amplitel must provide Council with a report recording radiation at various points in the vicinity of the monopole:
 - o Upon installation; and
 - o Following the installation of any new infrastructure on the monopole.

In addition to the key terms above, the lease template provided by DEECA, required to be used for leases of Crown Land, sets out some of the basic terms in relation to the use of the land.

The remaining terms and conditions would be negotiated between Council and Amplitel, in line with Council's standard terms and conditions, and on the advice of Council's solicitors.

Sensitivities:

The monopole and associated infrastructure provide support for the existing 4G and 5G network.

Despite being deemed safe by leading experts such as Australia's Chief Medical Officer, Professor Brendan Murphy, concerns about the safety of 5G has been raised by minority groups in Australia in the recent past. This pole is more than 100 metres from homes, which reduces the risk of community concerns relating to this proposed location.

Notwithstanding, Council have requested Amplitel provide EME reports detailing the levels of radiation in the vicinity of the monopole to ensure that this is monitored throughout key points of the lease term.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

A commercial rent has been agreed to by both parties. The primary purpose of this lease would be to enable a private company to deliver a commercial use. Therefore, a commercial rent is an appropriate way to ensure that this lease delivers community benefit to the Darebin community. This community benefit would be realised in the form of the financial return to Council to be put towards community services.

In addition to rent, the costs of outgoings, including electricity supply would be borne by Council, resulting in no additional cost to Council. Amplitel will be required to install a separate meter at Amplitel's cost in order to measure electricity usage.

If approved, Amplitel will pay all costs associated with the planning, construction and installation of the telecommunication facility and compliance with any necessary permit requirements. Amplitel will also be required to pay Council's reasonable legal fees for lease document preparation, negotiation, and execution.

The monopoly will revert to Council ownership at the end of the lease.

Community Engagement

Section 115(1) of the *Local Government Act 2020* (LGA) provides that, where it is proposed that the term of a lease granted by Council is more than 10 years, community engagement must be undertaken in accordance with Council's community engagement policy before entering into the lease.

Public Notice of Council's intention to enter into the proposed lease appeared in the Herald Sun newspaper and on Council's website from 28 October 2024 for the duration of the 28-day submission period (closing Tuesday 26 November 2024 5pm).

No submissions were received in response to the public notices and therefore no Hearing of Submission meeting was necessary.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;

Service Performance Principles

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The Assessment Criteria contained in the draft Leasing and Licensing Policy sets out that any application to Lease or Licence Council property must have regard to Council's cultural alignment with Darebin's values and community, quality, environmental and sustainable objectives outlined in the Council Plan.

The draft Policy further advises that it should be read in conjunction with council's Climate Emergency Policy 2017.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The Statement of the commitment to Traditional Owners and Aboriginal and Torres Strait islander people 2019 recognises that Darebin stands on unceded Wurundjeri Woi-wurrung land. Similarly, under section 19.2 of the Victorian *Charter of Human Rights and Responsibilities Act 2006* Traditional Owners and custodians have a right to “maintain their distinctive spiritual, material and economic relationship with [their] land and waters.”

An Equity Impact Assessment was undertaken on the draft Leasing & Licensing Policy on 24 March 2023. This provides the overarching assessment that will cover the development of the telecommunication lease.

Economic Development and Cultural Considerations

There are no factors in this report which impact upon economic development considerations.

Operational Impacts

The Bundoora Park Junior Football Club and Bundoora Park Cricket Club use the oval and the adjacent clubrooms. If approved, the affected sportsground lights will not be in operation during the construction period (approximately two weeks). If approved, Amplitel’s build contractor would be required to work with Council officers and the Clubs to develop a schedule that minimises the impact on sports oval operation.

Council will need to ensure that any maintenance works undertaken by Amplitel during the lease term are carried out by professional tradespersons and with Council’s approval.

The sporting oval light is within a short distance of the carpark. This will limit impact on users of the park during installation and in the event that maintenance is required.

Legal and Risk Implications

Prior to finalisation of the terms of the lease, the agreement would be reviewed by Council’s solicitors to provide advice on the same, in order to mitigate risk to Council.

Council will need to ensure that the design and construction of the facility is undertaken in accordance with the permit and conditions set by DEECA. Any maintenance undertaken by the Tenant or Licensee must be undertaken in compliance with Occupational Health and Safety regulations and sufficient notice provided by both parties.

IMPLEMENTATION ACTIONS



1. Finalise and execute lease agreement – January 2025
2. Amplitel to remove existing pole and install monopole – February 2025

RELATED DOCUMENTS

- 2021-2025 Council Plan
- 2021-2031 10 Year Financial Plan
- 2023-24 Annual Budget
- Community Engagement Policy 2021

- Breathing Space – The Darebin Open Space Strategy
- Toward Equality Framework – Darebin City Council's Equity, Inclusion and Human Rights Framework 2019-2029
- Climate Emergency Policy 2017

Attachments

- Property Matters - Leasing Park of Bundoora Park - Amplitel - Sports Oval Light. (Appendix A) [↓](#) 
- Property Matters - Leasing Park of Bundoora Park - Amplitel - Construction Drawings. (Appendix B) [↓](#) 

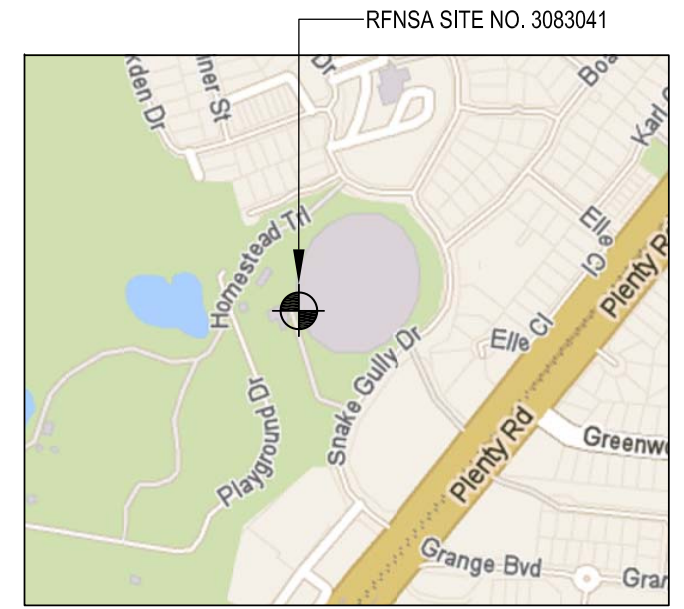
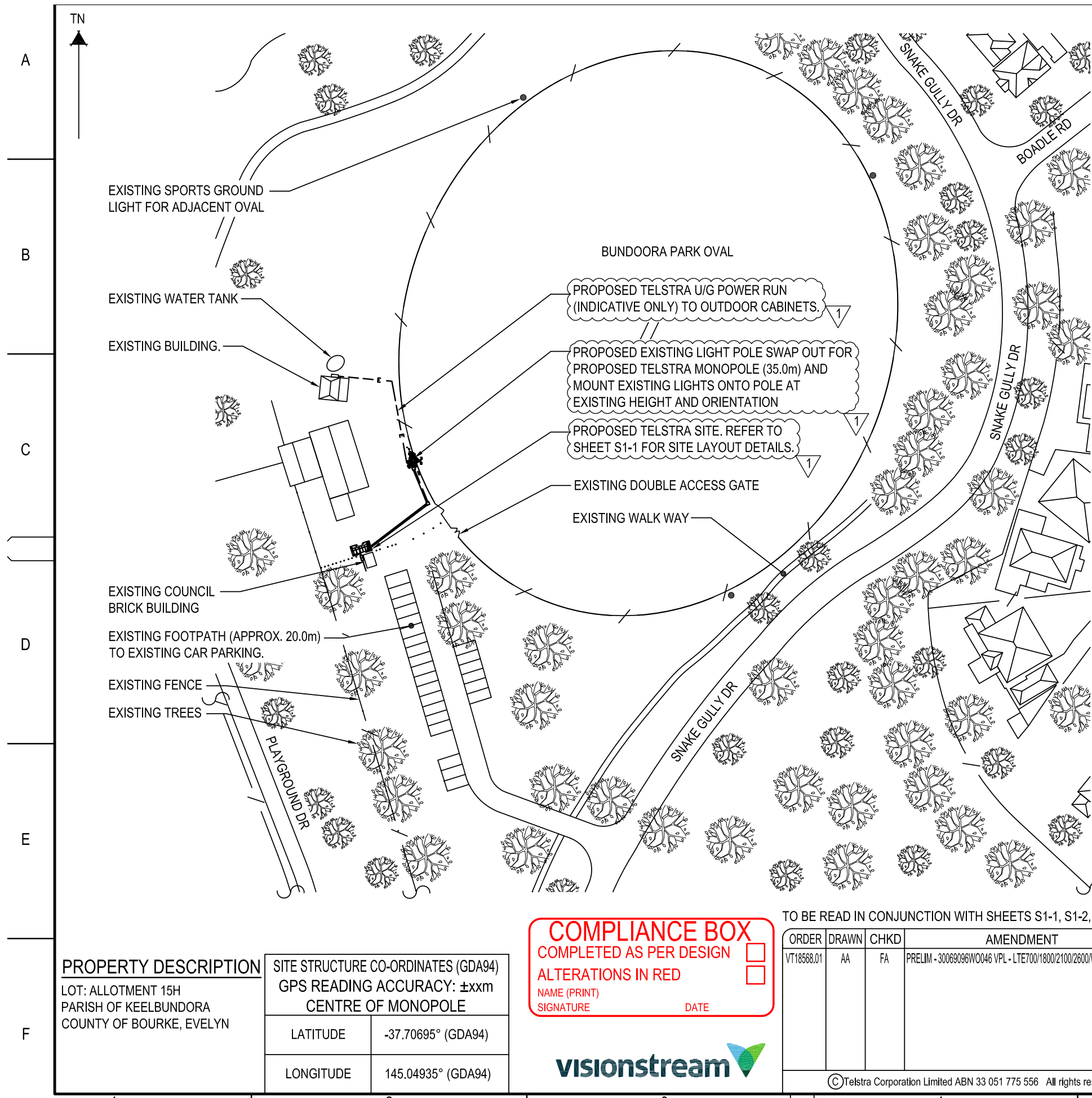
DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachment 1 – Photograph showing existing sports oval light



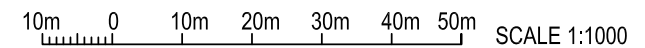


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LOCALITY PLAN
NOT TO SCALE

SITE ACCESS

SCALE 1:1000



PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1-1, S1-2, S3 & S3-1.

PROPERTY DESCRIPTION		SITE STRUCTURE CO-ORDINATES (GDA94)	
LOT: ALLOTMENT 15H PARISH OF KEELBUNDORA COUNTY OF BOURKE, EVELYN		GPS READING ACCURACY: ±xxm CENTRE OF MONOPOLE	
LATITUDE	-37.70695° (GDA94)		
LONGITUDE	145.04935° (GDA94)		

COMPLIANCE BOX
COMPLETED AS PER DESIGN
ALTERATIONS IN RED
NAME (PRINT) _____
SIGNATURE _____ DATE _____



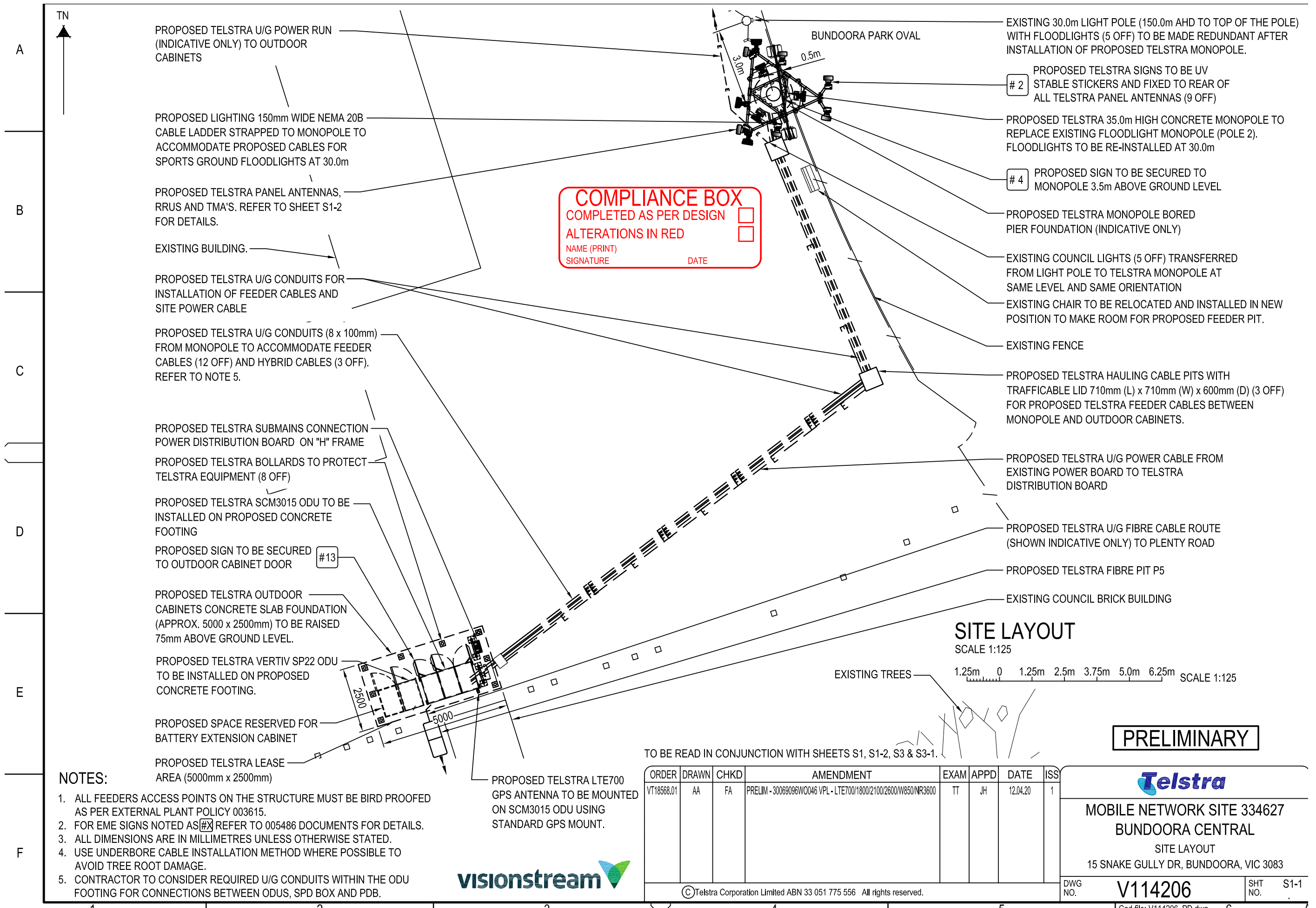
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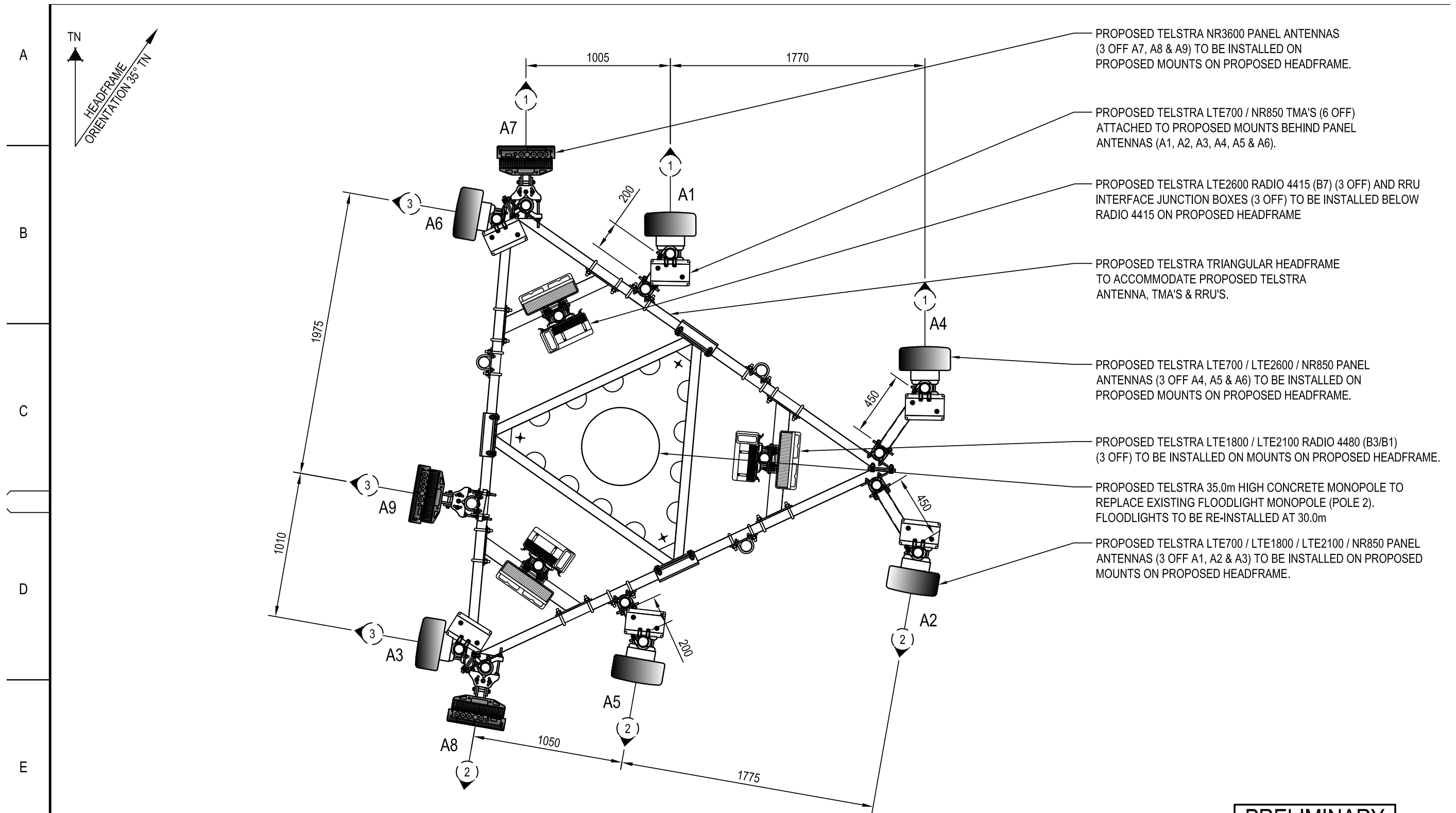
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Telstra

MOBILE NETWORK SITE 334627
BUNDOORA CENTRAL
SITE ACCESS AND LOCALITY PLAN
15 SNAKE GULLY DR, BUNDOORA, VIC 3083

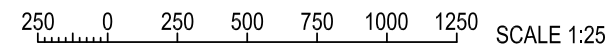
DWG NO. **V114206** SHT NO. **S1**





ANTENNA LAYOUT AT EL 35.67m & 35.0m
AND RADIO LAYOUT AT EL 35.5m

SCALE 1:25



COMPLIANCE BOX
COMPLETED AS PER DESIGN
ALTERATIONS IN RED
NAME (PRINT) _____
SIGNATURE _____ DATE _____



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
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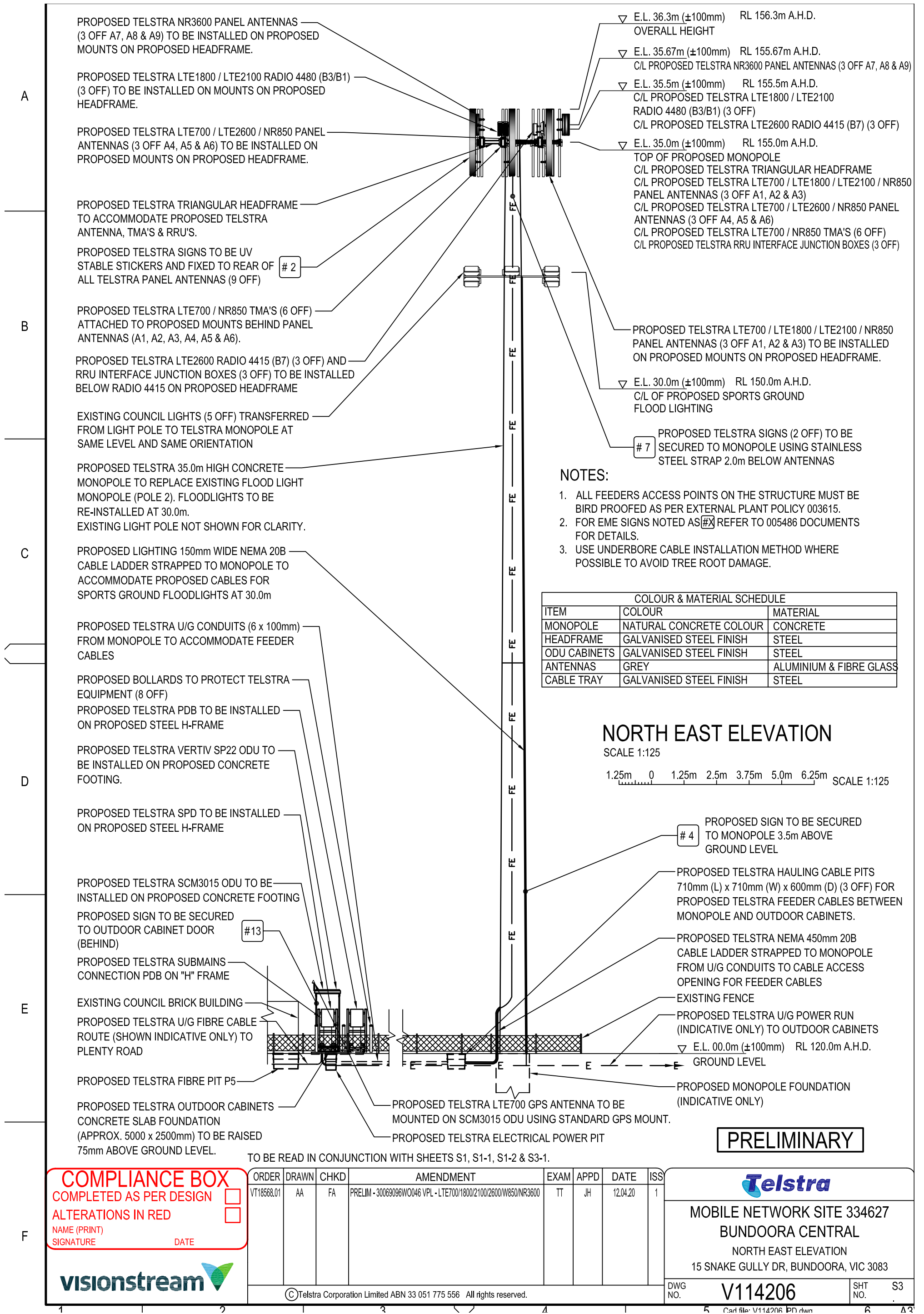
PRELIMINARY



MOBILE NETWORK SITE 334627
BUNDOORA CENTRAL
ANTENNA LAYOUT
15 SNAKE GULLY DR, BUNDOORA, VIC 3083

DWG NO. **V114206** SHT NO. S1-2

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PROPOSED TELSTRA NR3600 PANEL ANTENNAS (3 OFF A7, A8 & A9) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA LTE1800 / LTE2100 RADIO 4480 (B3/B1) (3 OFF) TO BE INSTALLED ON MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA LTE700 / LTE2600 / NR850 PANEL ANTENNAS (3 OFF A4, A5 & A6) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

PROPOSED TELSTRA TRIANGULAR HEADFRAME TO ACCOMMODATE PROPOSED TELSTRA ANTENNA, TMA'S & RRU'S.

PROPOSED TELSTRA SIGNS TO BE UV STABLE STICKERS AND FIXED TO REAR OF ALL TELSTRA PANEL ANTENNAS (9 OFF) # 2

PROPOSED TELSTRA LTE700 / NR850 TMA'S (6 OFF) ATTACHED TO PROPOSED MOUNTS BEHIND PANEL ANTENNAS (A1, A2, A3, A4, A5 & A6).

PROPOSED TELSTRA LTE2600 RADIO 4415 (B7) (3 OFF) AND RRU INTERFACE JUNCTION BOXES (3 OFF) TO BE INSTALLED BELOW RADIO 4415 ON PROPOSED HEADFRAME

EXISTING COUNCIL LIGHTS (5 OFF) TRANSFERRED FROM LIGHT POLE TO TELSTRA MONOPOLE AT SAME LEVEL AND SAME ORIENTATION

PROPOSED TELSTRA 35.0m HIGH CONCRETE MONOPOLE TO REPLACE EXISTING FLOOD LIGHT MONOPOLE (POLE 2). FLOODLIGHTS TO BE RE-INSTALLED AT 30.0m. EXISTING LIGHT POLE NOT SHOWN FOR CLARITY.

PROPOSED LIGHTING 150mm WIDE NEMA 20B CABLE LADDER STRAPPED TO MONOPOLE TO ACCOMMODATE PROPOSED CABLES FOR SPORTS GROUND FLOODLIGHTS AT 30.0m

PROPOSED TELSTRA U/G CONDUITS (6 x 100mm) FROM MONOPOLE TO ACCOMMODATE FEEDER CABLES

PROPOSED BOLLARDS TO PROTECT TELSTRA EQUIPMENT (8 OFF)

PROPOSED TELSTRA PDB TO BE INSTALLED ON PROPOSED STEEL H-FRAME

PROPOSED TELSTRA VERTIV SP22 ODU TO BE INSTALLED ON PROPOSED CONCRETE FOOTING.

PROPOSED TELSTRA SPD TO BE INSTALLED ON PROPOSED STEEL H-FRAME

PROPOSED TELSTRA SCM3015 ODU TO BE INSTALLED ON PROPOSED CONCRETE FOOTING

PROPOSED SIGN TO BE SECURED TO OUTDOOR CABINET DOOR (BEHIND) #13

PROPOSED TELSTRA SUBMAINS CONNECTION PDB ON "H" FRAME

EXISTING COUNCIL BRICK BUILDING
PROPOSED TELSTRA U/G FIBRE CABLE ROUTE (SHOWN INDICATIVE ONLY) TO PLENTY ROAD

PROPOSED TELSTRA FIBRE PIT P5

PROPOSED TELSTRA OUTDOOR CABINETS CONCRETE SLAB FOUNDATION (APPROX. 5000 x 2500mm) TO BE RAISED 75mm ABOVE GROUND LEVEL.

PROPOSED TELSTRA LTE700 GPS ANTENNA TO BE MOUNTED ON SCM3015 ODU USING STANDARD GPS MOUNT.

PROPOSED TELSTRA ELECTRICAL POWER PIT

▽ E.L. 36.3m (±100mm) RL 156.3m A.H.D. OVERALL HEIGHT
▽ E.L. 35.67m (±100mm) RL 155.67m A.H.D. C/L PROPOSED TELSTRA NR3600 PANEL ANTENNAS (3 OFF A7, A8 & A9)
▽ E.L. 35.5m (±100mm) RL 155.5m A.H.D. C/L PROPOSED TELSTRA LTE1800 / LTE2100 RADIO 4480 (B3/B1) (3 OFF) C/L PROPOSED TELSTRA LTE2600 RADIO 4415 (B7) (3 OFF)
▽ E.L. 35.0m (±100mm) RL 155.0m A.H.D. TOP OF PROPOSED MONOPOLE C/L PROPOSED TELSTRA TRIANGULAR HEADFRAME C/L PROPOSED TELSTRA LTE700 / LTE1800 / LTE2100 / NR850 PANEL ANTENNAS (3 OFF A1, A2 & A3) C/L PROPOSED TELSTRA LTE700 / LTE2600 / NR850 PANEL ANTENNAS (3 OFF A4, A5 & A6) C/L PROPOSED TELSTRA LTE700 / NR850 TMA'S (6 OFF) C/L PROPOSED TELSTRA RRU INTERFACE JUNCTION BOXES (3 OFF)

PROPOSED TELSTRA LTE700 / LTE1800 / LTE2100 / NR850 PANEL ANTENNAS (3 OFF A1, A2 & A3) TO BE INSTALLED ON PROPOSED MOUNTS ON PROPOSED HEADFRAME.

▽ E.L. 30.0m (±100mm) RL 150.0m A.H.D. C/L OF PROPOSED SPORTS GROUND FLOOD LIGHTING

7 PROPOSED TELSTRA SIGNS (2 OFF) TO BE SECURED TO MONOPOLE USING STAINLESS STEEL STRAP 2.0m BELOW ANTENNAS

4 PROPOSED SIGN TO BE SECURED TO MONOPOLE 3.5m ABOVE GROUND LEVEL

PROPOSED TELSTRA HAULING CABLE PITS 710mm (L) x 710mm (W) x 600mm (D) (3 OFF) FOR PROPOSED TELSTRA FEEDER CABLES BETWEEN MONOPOLE AND OUTDOOR CABINETS.

PROPOSED TELSTRA NEMA 450mm 20B CABLE LADDER STRAPPED TO MONOPOLE FROM U/G CONDUITS TO CABLE ACCESS OPENING FOR FEEDER CABLES

EXISTING FENCE
PROPOSED TELSTRA U/G POWER RUN (INDICATIVE ONLY) TO OUTDOOR CABINETS

▽ E.L. 00.0m (±100mm) RL 120.0m A.H.D. GROUND LEVEL

PROPOSED MONOPOLE FOUNDATION (INDICATIVE ONLY)

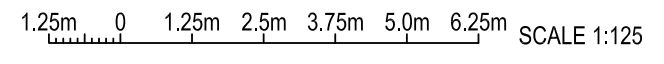
NOTES:

1. ALL FEEDERS ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTED AS #X REFER TO 005486 DOCUMENTS FOR DETAILS.
3. USE UNDERBORE CABLE INSTALLATION METHOD WHERE POSSIBLE TO AVOID TREE ROOT DAMAGE.

COLOUR & MATERIAL SCHEDULE		
ITEM	COLOUR	MATERIAL
MONOPOLE	NATURAL CONCRETE COLOUR	CONCRETE
HEADFRAME	GALVANISED STEEL FINISH	STEEL
ODU CABINETS	GALVANISED STEEL FINISH	STEEL
ANTENNAS	GREY	ALUMINIUM & FIBRE GLASS
CABLE TRAY	GALVANISED STEEL FINISH	STEEL

NORTH EAST ELEVATION

SCALE 1:125



PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2 & S3-1.

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT18568.01	AA	FA	PRELIM - 30069096/W0046 VPL - LTE700/1800/2100/2600/NR850/NR3600	TT	JH	12.04.20	1

Telstra
 MOBILE NETWORK SITE 334627
 BUNDOORA CENTRAL
 NORTH EAST ELEVATION
 15 SNAKE GULLY DR, BUNDOORA, VIC 3083
 DWG NO. **V114206** SHT NO. S3



A

B

C

D

E

F

TELSTRA ANTENNA CONFIGURATION TABLE					
ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT C/L A.G.L.	ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	0°	S1: LTE700 / S1: NR850 S1: LTE700 / S1: NR850
					S1: LTE1800 / S1: LTE2100 S1: LTE1800 / S1: LTE2100
					S1: LTE1800 / S1: LTE2100 S1: LTE1800 / S1: LTE2100
A2	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	190°	S2: LTE700 / S2: NR850 S2: LTE700 / S2: NR850
					S2: LTE1800 / S2: LTE2100 S2: LTE1800 / S2: LTE2100
					S2: LTE1800 / S2: LTE2100 S2: LTE1800 / S2: LTE2100
A3	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	280°	S3: LTE700 / S3: NR850 S3: LTE700 / S3: NR850
					S3: LTE1800 / S3: LTE2100 S3: LTE1800 / S3: LTE2100
					S3: LTE1800 / S3: LTE2100 S3: LTE1800 / S3: LTE2100
A4	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	0°	S1: LTE700 / S1: NR850 S1: LTE700 / S1: NR850
					S1: LTE2600 S1: LTE2600
					S1: LTE2600 S1: LTE2600
A5	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	190°	S2: LTE700 / S2: NR850 S2: LTE700 / S2: NR850
					S2: LTE2600 S2: LTE2600
					S2: LTE2600 S2: LTE2600
A6	T1002L6R011 PANEL 2680 x 355 x 165mm	INSTALL	35.0m	280°	S3: LTE700 / S3: NR850 S3: LTE700 / S3: NR850
					S3: LTE2600 S3: LTE2600
					S3: LTE2600 S3: LTE2600
A7	ERICSSON AIR6488 PANEL 810 x 400 x 200mm	INSTALL	35.67m	0°	S1: NR3500 S1: NR3500
A8	ERICSSON AIR6488 PANEL 810 x 400 x 200mm	INSTALL	35.67m	190°	S2: NR3500 S2: NR3500
A9	ERICSSON AIR6488 PANEL 810 x 400 x 200mm	INSTALL	35.67m	280°	S3: NR3500 S3: NR3500
A200	GPS ANTENNA KRE 101 2082/1 Ø68 x 96	INSTALL	BASE OF GPS 2.5m	0°	-

COMPLIANCE BOX

COMPLETED AS PER DESIGN

ALTERATIONS IN RED


NAME (PRINT) _____

SIGNATURE _____ DATE _____

PRELIMINARY

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S1-2 & S3.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
VT18568.01	AA	FA	PRELIM - 30069096W0046 VPL - LTE700/1800/2100/2600/WR850/NR3600	TT	JH	12.04.20	1



MOBILE NETWORK SITE 334627
BUNDOORA CENTRAL
 ANTENNA CONFIGURATION TABLE
 15 SNAKE GULLY DR, BUNDOORA, VIC 3083



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DWG NO.	V114206	SHT NO.	S3-1
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9.11 PROPERTY MATTERS - SALE OF MINOR ASSETS - 182-184 HIGH STREET AND 1 BUTLER STREET, NORTHCOTE

Author: Coordinator Property Services
Property Officer

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the sale of the section of a discontinued road adjoining 182-184 High Street and 1 Butler Street, Northcote, and more particularly shown as Lots 2 and 3 on Title Plan TP969622V (**Figure 2 – Appendix A ‘Site Plans’**) (‘Subject Road’).

Public notice was given of Council’s intention to sell the subject road and the notice period has now concluded, with one submission received in writing and heard at the Hearing of Submissions Committee Meeting held on 9 December 2024.

This report recommends Council take note of the submission but proceed with endorsement of the sale having given public notice of a proposal to sell the Subject Road the owner of 1 Butler Street, Northcote, by private treaty in accordance with Council’s Sale of Minor Assets Policy May 2022 (‘Council’s Policy’).

Officer Recommendation

That Council:

Having given public notice of a proposal to sell the discontinued road between 182 & 184 High Street and 1 Butler Street, Northcote, (‘Subject Road’):

- (1) Notes that one submission was received in response to the proposal to sell the Subject Road, which was heard at a Hearing of Submissions meeting held on 9 December 2024.
 - (2) Directs that the land from the Subject Road be sold by private treaty to the owner of the adjoining property at 1 Butler Street, Northcote, in accordance with the relevant sections of the Local Government Act 1989, the *Local Government Act 2020* and Council’s Sale of Minor Assets Policy.
 - (3) Authorises the Chief Executive Officer (or Delegate) to sign all documents to give effect to the sale and transfer of any land from the Subject Road to the owner of the adjoining property
 - (4) Directs that the sale of the Subject Road will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the roads in connection with any pipes under the control of Yarra Valley Water and Darebin City Council in or near the roads.
 - (5) Notifies all submitters of Council’s decision and the reasons for the decision as soon as practicable.
-

BACKGROUND / KEY INFORMATION

In June 2018, Council received an enquiry from the owner of 186 High Street, Northcote, requesting the discontinuance and sale of the 3.05-metre-wide road abutting the rear of their property.

Preliminary investigations into the discontinuance and sale of the section of road were undertaken. The investigations identified that although the road remained a road on title, and was listed on Council's Register of Public Roads, it was unmade, overgrown with vegetation and did not appear to have been used for access by the adjoining properties for many years.

All adjoining property owners at 182, 184 and 186 High Street, Northcote agreed in principle to purchase the relevant section of road adjoining their property at market value, as well as meeting all reasonable costs associated with the statutory process.

On 9 June 2020, Council resolved to discontinue the road adjoining 182 to 186 High Street and 1 Butler Street, Northcote, and to sell the land by private treaty in accordance with Council's Policy. The discontinuance was gazetted in the Victoria Government Gazette on 18 June 2020, shown at **Figure 1 - Appendix A**.

Following gazettal, Council sold the parcel known as Lot 1 on Title Plan TP969622V (**Figure 2 – Appendix A**) and shown hatched in red on the Site Plan (**Figure 3 - Appendix A**) to the owner of 186 High Street, Northcote.

Whilst the owner of 182 & 184 High Street (both owned by a single owner) had initially agreed in principle to purchasing the Subject Road, the property owner subsequently withdrew their interest.

Following the withdrawal of interest, Council took title to the two parcels of unsold land making up the Subject Road. Council then commenced negotiations with the other abutting property owner at 1 Butler Street, Northcote for the sale of the Subject Road.

The owner of 1 Butler Street, Northcote has agreed, in principle, to purchase the Subject Road adjoining their property at market value as well as meeting the costs specified in Council's Policy, should Council resolve to sell the land.

Public Notice and Submission

Public notice was published on Council's website on 24 June 2024 of Council's intention to sell the subject road and all adjoining owners and occupiers of the whole of the roads and reserve were notified separately in writing and asked to provide written submissions. The public notice period ended on Monday, 22 July 2024.

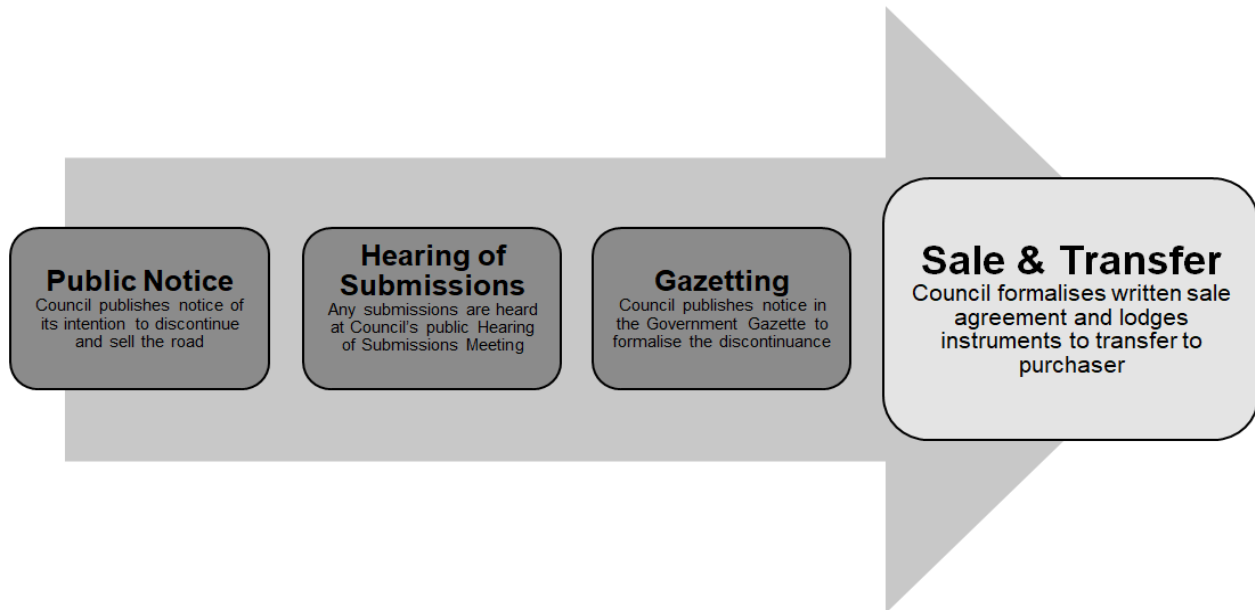
Council received one written submission in regard to the proposal, requesting to be heard by Council in support of their submission. This submission was received on 16 July 2024 and was heard at the Hearing of Submissions Committee Meeting on 9 December 2024.

The submitters are the owners 182 & 184 High Street, Northcote, who have raised concerns that the sale of the discontinued road will impact their access to the back of their property.

In accordance with section 223 of the Local Government Act 1989, Council is required to consider all submissions received on a matter and after it has made a decision, notify all persons who have made a submission on the decision and the reasons for the decision.

Sale and Transfer Process

Following discontinuance of a road, there are several steps required when Council considers selling land.



Council has already completed the public notice requirement outlined above and received one submission. Additionally, the title for the Subject Road was already transferred to Council at the time that the other section of road was sold off.

Therefore, if Council considers it appropriate to proceed with the sale of the Subject Road in light of having heard the submission, all that remains is to finalise the terms of sale in line with Council's Policy and arrange for transfer to the purchaser.

Previous Council Resolutions

At its Hearing of Submissions Committee Meeting held on 9 December 2024 Council resolved:

That Council:

- (1) *Receives the written and verbal submissions.*
- (2) *Thanks all submitters and presenters for addressing the Committee in support of their written responses.*
- (3) *Receives a report at its meeting on 16 December 2024 as part of Council's deliberations in considering the proposed discontinuance and sale of the road adjoining 182-184 High Street and 1 Butler Street, Northcote.*

At its special meeting held on 17 June 2024 Council resolved:

That Council:

- (1) Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining 182 & 184 High Street and 1 Butler Street, Northcote, shown cross-hatched on the site plan in **Appendix A** and shown as Lots 2 and 3 on Title Plan TP969622V in **Appendix A** to the owner of 1 Butler Street, Northcote, by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022 ("Council's Policy").
- (2) Gives notice of its intention to sell the land on Council's website and in such notice states that Council proposes to sell the land from the former road to the owner of 1 Butler Street, Northcote, by private treaty.
- (3) Invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) Note that any submissions received be considered by Council's Hearing of Submissions Committee on 9 September 2024 at 7:30pm.
- (5) If no submissions are received, a further report be presented to the Chief Executive Officer for a decision under delegation to consider completion of the statutory procedures for the sale of the land to the owner of 1 Butler Street, Northcote and sign all necessary documents to facilitate the sale of the land in accordance with Council's Policy.
- (6) Note that in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with Council's Policy.

At its meeting held on 9 June 2020, Council resolved:

That Council:

*Having given public notice of a proposal to discontinue the right-of-way/road adjoining 182 to 186 High Street and 1 Butler Street Northcote shown hatched in **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the Local Government Act 1989:*

- (1) *Has formed the opinion that the road shown in the statutory plan in **Appendix A** and coloured orange on the aerial photo in **Appendix B** to this report, is no longer reasonably required for road purposes.*
- (2) *Discontinues the Road in accordance with section 206 and schedule 10, Clause 3 to the Local Government Act 1989.*
- (3) *Directs that a notice be published in the Victoria Government Gazette.*
- (4) *Directs that the land from the Road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and transfer to itself any land from the Road not sold to the adjoining property owners, in accordance with Council policy.*
- (5) *Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued Road to the owners of the adjoining properties.*
- (6) *Authorises the Chief Executive Officer to do all other acts to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.*

At its meeting held on 16 March 2020, Council resolved:

'That Council:

- (1) *Commences the statutory procedures under section 206 and clause 3 of Schedule 10 of the Local Government Act 1989 (the Act) to discontinue the road adjoining 182 to 186 High Street and 1 Butler Street, Northcote, shown hatched in the statutory plan in **Appendix A**.*
- (2) *Gives public notice under sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and in such notice, state that if discontinued, Council proposes to sell the land from the road to the adjoining property owners by private treaty and transfer to itself any land from the discontinued road not sold to the adjoining property owners.'*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.2 We will ensure our assets are optimised for the benefit of our community

DISCUSSION

Submission

Council received one submission in regard to the proposal to the Subject Road, heard at the Hearing of Submissions Committee Meeting on 9 December 2024 (**Appendix B**)

The submitters are the owners of 182 & 184 High Street, Northcote (same owners for both properties), who have raised concerns that the sale of the discontinued road will impact their access to the rear of their property.

It should be noted that, prior to the discontinuance in 2020, the owners of 182 & 184 High Street had originally expressed their interest in purchasing the Subject Road from Council. As such, not only did the submitters not object to the proposal to discontinue the road but were in support of the proposal.

Section 223 of the *Local Government Act 1989* requires that Council consider submissions made in relation to the making of a decision.

While the submission should be considered by Council, given that:

- a) The submitters had the initial opportunity to purchase the Subject Road and elected not to do so;
- b) The submitters have asked that the Subject Road remain a carriageway but raised no objection to the Subject Road being discontinued;
- c) The submitters have advised that they have maintained the Subject Road but investigations by Council showed the Subject Road to be unmade and overgrown; and
- d) Should the Subject Road not be sold, as the title was transferred to Council, the responsibility for maintenance and liability continues to sit with Council

It is the recommendation of Council Officers that Council proceed with the proposed sale to the owner of 1 Butler Street.

Proposed Sale

The owner of 1 Butler Street Northcote has confirmed an interest in acquiring the Subject Road and, in line with Council's Sale of Minor Assets Policy, has agreed to pay:

- i) A purchase price equivalent to the current market value of the Subject Road

Council's Valuer has placed a total market value of \$84,150.00 (including GST) on the approximately 34 square metres for the whole of the Subject Road
- ii) Council's reasonable costs associated with the transfer of land
- iii) 50% of Council's reasonable costs associated with the statutory process to discontinue and sell the land under s114 of the LGA

All relevant external service authorities and the relevant internal Council Business Units have been consulted.

The land will be subject to a drainage easement in favour of Council to ensure access rights are maintained and to allow for any future drainage works, if required.

No other Council Business Units or external Service Authorities have objected to or placed any conditions upon the proposed sale.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Local Government Act

Council is required to undertake a two staged process of first resolving to discontinue a road and sell the land under clause 3 of Schedule 10 of the *Local Government Act 1989 Act* and then propose the sale of the land under section 114 of the *Local Government Act 2020*.

The statutory procedures under section 114 of the *Local Government Act 2020* require that Council publish a notice of its intention to sell the Land on the Council's website and undertake a community engagement process in accordance with its Community Engagement Policy.

Section 223 of the *Local Government Act 1989* requires that Council consider submissions on a decision to be made and that any submitters are notified in writing of the decision and the reasons for the decision being made.

Accordingly, regardless of the decision made by Council, the submitters must be contacted to advise them of the outcome.

Financial Management

Council's Valuer has placed a market value of \$84,150.00 (incl GST) on the 34m² of land comprising the Subject Road which is proposed to be sold to the owner of 1 Butler Street, Northcote.

50% of the costs incurred by Council will be recouped from the purchasers upon the sale being affected.

Additionally, there are ongoing financial benefits to Council in the form of maintenance obligations which will be passed on the purchasers, thus no longer needing to be borne by Council. The land will also attract Council rates once transferred.

Community Engagement

The owners of the other adjoining properties were consulted previously when the road was discontinued.

Public Notice of Council's intention to sell the road appeared on Council's website from 24 June 2024 for the duration of the 28-day submission period (closing Tuesday 26 November 2024 5pm). In addition, written notification was given to all adjoining property owners and occupiers.

Council's Community Engagement Policy requires that a consultative approach is taken to community engagement when acquiring, purchasing, selling, exchanging or leasing land. Accordingly, submissions were sought from the public and interested parties on the proposal.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

(c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

(d) strategic planning must identify and address the risks to effective implementation;

Service Performance Principles

(e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The land associated with this item is currently a road that is not on Council's Registry of Public Roads. This land is not considered to be an essential element of the road transportation system.

The land will be consolidated within the Applicant's property and the future use of the land will be guided through planning and building regulations and controls.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The proposed sale of land process accords with suitable EIA measures. This includes that all adjoining landowners were:

- Afforded an equal opportunity to purchase the land.
- And were not prohibited by language barriers or covid related issues (which affected their ability to respond).

Economic Development and Cultural Considerations

There are no factors in this report which impact upon economic development considerations.

Operational Impacts

There are no operational impacts for these matters.

Legal and Risk Implications

Council have sought to mitigate any legal risk by engaging legal counsel to manage the statutory process for the discontinuance and sale of the roads and transfer of these parcels of land to the purchaser and/or Council.


IMPLEMENTATION ACTIONS

- Instruct Council's solicitors to prepare for the sale and transfer of the Subject Road to the proposed purchaser

RELATED DOCUMENTS

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy 2022
- Toward Equality Framework

Attachments

- Site Plans (**Appendix A**) [↓](#) 
- CONFIDENTIAL - submission on sale of 182-184 High St & 1 Butler St Northcote (**Appendix B**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

APPENDIX A**Sale of discontinued road adjoining 182 & 184 High Street and 1 Butler Street, Northcote**

To contextualise the property matter:

- Victoria Government Gazette notice is shown as **Figure 1**.
- The Title Plan is shown as **Figure 2**.
- The Site Plan is shown as **Figure 3**.
- The Aerial View is shown as **Figure 4**.

Figure 2 – Title Plan sale of discontinued road adjoining 182 & 184 High Street and 1 Butler Street, Northcote

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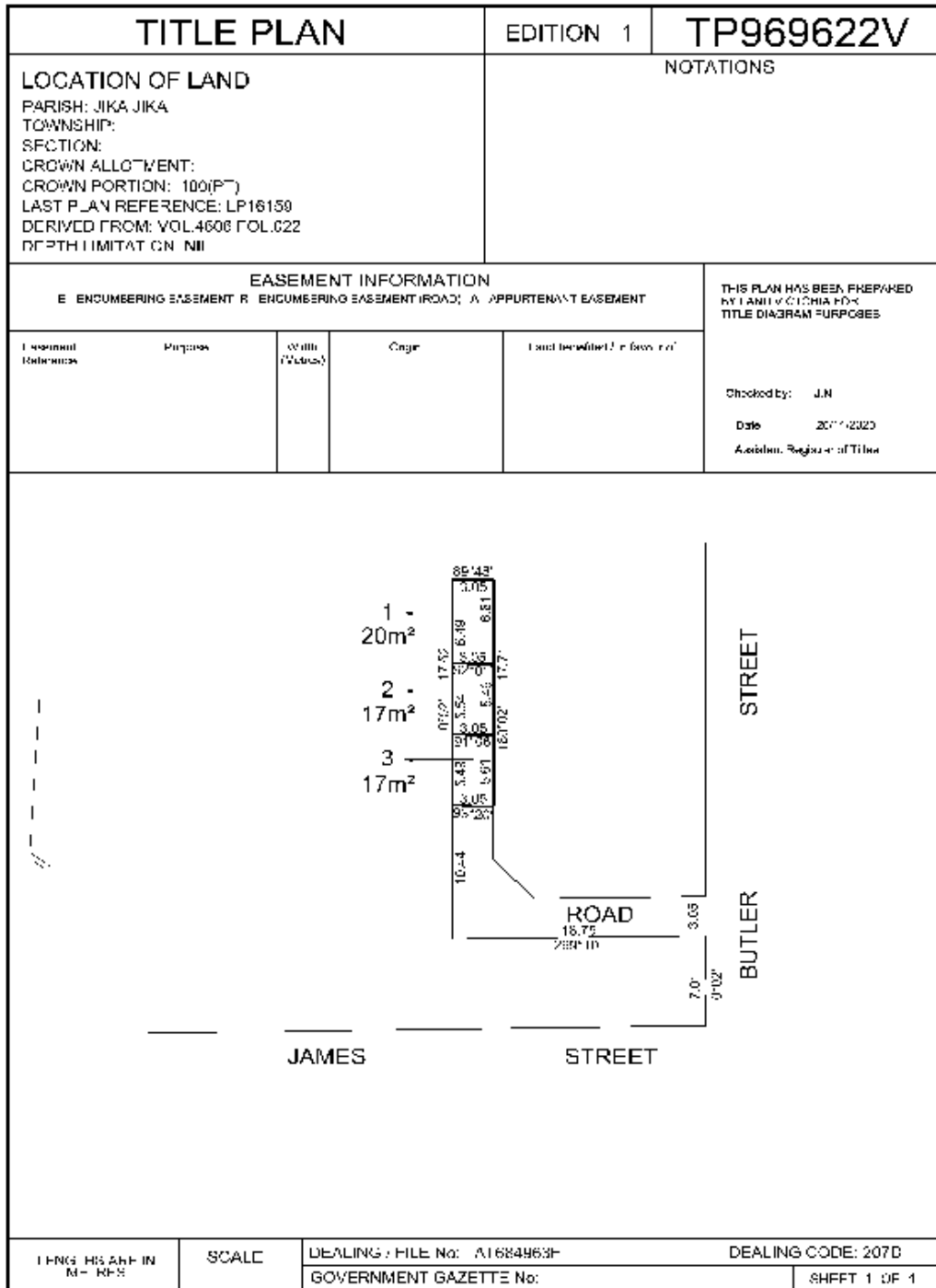


Figure 3 - Site Plan sale of discontinued road adjoining 182 & 184 High Street and 1 Butler Street, Northcote



Figure 4 - Aerial View sale of discontinued road adjoining 182 & 184 High Street and 1 Butler Street, Northcote (in green)



**9.12 PROPERTY MATTERS - SALE OF MINOR ASSETS - 6
TASMAN STREET AND 5 BISCHOFF STREET, PRESTON****Author:** Team Leader Leasing and Licensing**Reviewed By:** General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the sale of the section of discontinued road adjoining 6 Tasman Street and 5 Bischoff Street, Preston, being more particularly shown as ROW Segment 1 and ROW Segment 2 on the attached ROW Plan (**Figure 1 – Appendix A**) (collectively the ‘Subject Road’)

This report recommends Council endorse the sale, having given public notice of a proposal to sell the Subject Road to the owners of 6 Tasman Street and 5 Bischoff Street, Preston, by private treaty in accordance with Council’s Sale of Minor Assets Policy (‘the Policy’).

Officer Recommendation

That Council:

Having given public notice of a proposal to sell the discontinued road between 6 Tasman Street and 5 Bischoff Street, Preston (‘Subject Road’):

- (1) Notes that there were no submissions received in relation to the proposal to sell the Subject Road.
 - (2) Directs that the land from the Subject Road be sold by private treaty to the owners of the adjoining properties in accordance with the relevant sections of the Local Government Act 1989, the Local Government Act 2020 and Council’s Sale of Minor Assets Policy.
 - (3) Authorises the Chief Executive Officer to sign all documents to give effect to the sale and transfer of any land from the Subject Road to the owners of the adjoining properties.
 - (4) Directs that the sale of the Subject Road will not affect any right, power or interest held by Melbourne Water and Darebin City Council, in the roads in connection with any pipes under the control of Melbourne Water and Darebin City Council in or near the roads.
-

BACKGROUND / KEY INFORMATION

On 6 December 1999, Council resolved to discontinue the road situated between Tasman, Bischoff, Bruce and Bell Streets, Preston, and to sell the land by private treaty in accordance with Council policy. The discontinuance was gazetted in the Victoria Government Gazette on 9 November 2000 (**Figure 2 - Appendix A**).

At the time, the abutting property owners were asked to confirm their interest in purchasing the relevant portion of land adjoining their property. Whilst several lots were sold and transferred, the Subject Land remained unsold as neither owner expressed an interest in purchasing the land.

Upon the discontinuance being gazetted, and as no agreement was reached regarding the sale and transfer for the Subject Road, that parcel vests with Council despite the ownership on title being in the name of the original subdivider.

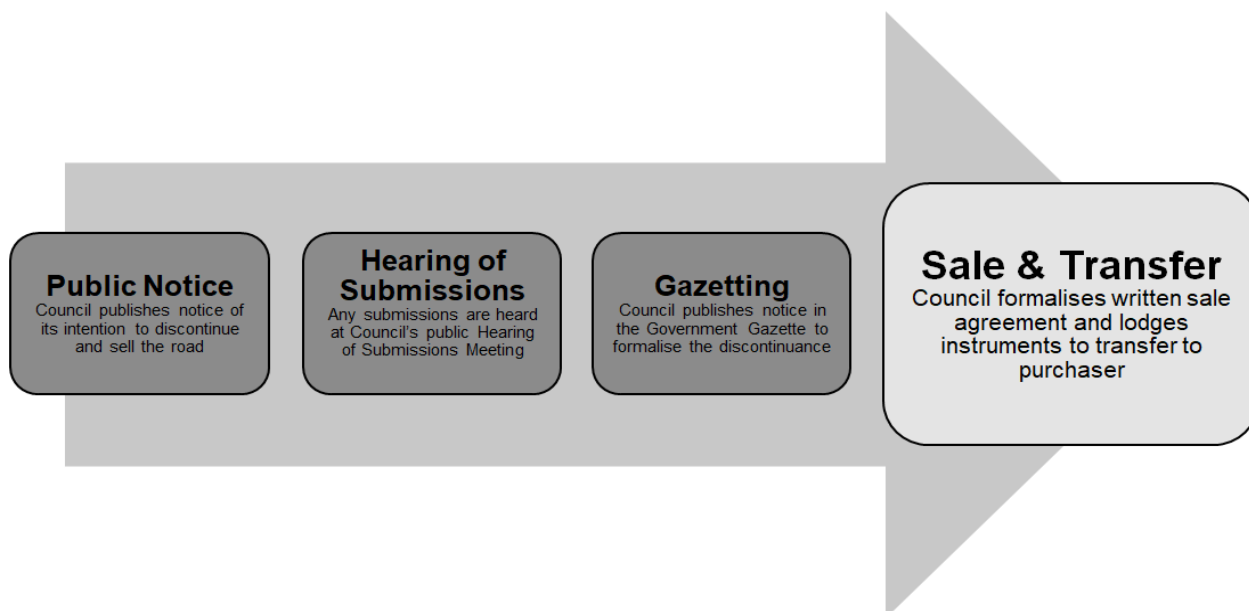
In May 2023, Council received an inquiry from the owner of 6 Tasman Street, Preston requesting to purchase the Subject Road. The Subject Road could be sold:

- i) as a single parcel to one owner; or
- ii) as two parcels of equal size, to each of the adjoining owners at 6 Tasman Street and 5 Bischoff Street, Preston.

Council officers contacted both of the adjoining owners and confirmed that each agreed to purchase half of the Subject Road at market value if offered.

Sale and Transfer Process

Following discontinuance of a road, there are several steps required when Council considers selling land.



Council has already completed the public notice requirement outlined above and received no submissions. Accordingly, the next step to be able to move forward with the proposed sale of the Subject Road to the purchasers is to transfer the title into Council's name, following which it can be transferred to the purchasers.

Previous Council Resolution

At its Special meeting held on 17 June 2024, Council resolved:

'That Council:

- (1) *Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining 6 Tasman Street and 5 Bischoff Street, Preston, shown hatched on the site plan in Figure 1, Appendix A and shown as Lot 14 on Title Plan TP17772, to the owners of 6 Tasman Street and 5 Bischoff Street, Preston, by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022.*

- (2) Gives notice of its intention to sell the land on Council's website and in such notice, states, that Council proposes to sell the land from the former road to the owners of 6 Tasman Street and 5 Bischoff Street, Preston, by private treaty, in accordance with Council policy.
- (3) Invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.
- (4) Notes that any submissions received be considered by Council's Hearing of Submissions Committee on 9 September 2024 at 7.30pm.
- (5) Notes that where any submissions are heard by the Hearing of Submissions Committee, a further report will be presented to Council to consider the findings from that Hearing and advise its decision on the sale of the discontinued road to the adjoining landowner.
- (6) Notes that if no submissions are received, a further report will be presented to the Chief Executive Officer, to confirm acceptance to the delegated responsibilities and to complete the statutory procedures for the sale of the land to the owners of 6 Tasman Street and 5 Bischoff Street, Preston, and sign all necessary documents for the sale of the land under delegation.
- (7) Notes that in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with Council's Sale of Minor Assets Policy May 2022.'

At its meeting held on 6 December 1999, Council resolved:

'That Council:

Being of the opinion that the road shown hatched on the plan and situated at the rear of 2-24 Tasman Street, 1-29 Bischoff Street, 682-696 Bell Street and adjacent to 135 Bruce Street, Preston, is not reasonably required for public use:

- (1) *discontinues the road in accordance with Section 206, Item 3 of Schedule 10, of the Local Government Act 1989;*
- (2) *directs that a notice be published in the Government Gazette;*
- (3) *directs that the land from the road be sold by private treaty to the abutting property owners of Tasman, Bischoff, Bruce & Bell Streets, Preston;*
- (4) *directs that the discontinuance and sale will not affect any right, power or interest held by the Council or the Statutory Authorities, in the road in connection with any sewers, drains, pipes and cables under the control of the Authorities in or near the road; and*
- (5) *signs and seals Transfers of Land involving payment of sums assessed pursuant to Council's policy for parts of the land shown hatched on the plan attached.'*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.2 We will ensure our assets are optimised for the benefit of our community

DISCUSSION

No submissions were received from the public or any of the adjoining property owners in relation to the sale of the Subject Road.

Both the owners of 6 Tasman Street and 5 Bischoff Street have confirmed their interest in acquiring half of the Subject Road and, in line with the Policy, have agreed to pay:

- i) A purchase price equivalent to half each, of the total current market value of the Subject Road
Council's Valuer has placed a total market value of \$31,350.00 (including GST) on the approximately 37 square metres for the whole of the Subject Road
- ii) Council's reasonable costs associated with the transfer of land
- iii) 25% each of Council's reasonable costs associated with the statutory process to discontinue and sell the land under s114 of the LGA

All relevant external service authorities and the relevant internal Council Business Units have been consulted.

The land will be subject to a drainage easement in favour of Yarra Valley Water and Council to ensure access rights are maintained and to allow for any future drainage works, if required.

No other Council Business Units or external Service Authorities have objected to or placed any conditions upon the proposed sale.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES**Local Government Act**

Council is required to undertake a two staged process of first resolving to discontinue a road and sell the land under clause 3 of Schedule 10 of the Local Government Act 1989 Act and then proposing the sale of the land under section 114 of the Local Government Act 2020

In line with section 114 of the LGA any proposal for the sale of Council land from a discontinued road must first satisfy any obligations outlined in Council's Community Engagement Policy. These obligations have been met and the community engagement process undertaken is detailed in the relevant section below.

Financial Management

The proposed sale of the Subject Road represents income of \$31,350.00 (incl GST) being realised, based on the current market value.

50% of the costs incurred by Council will be recouped from the purchasers upon the sale being effected.

Additionally, there are ongoing financial benefits to Council in the form of maintenance obligations which will be passed on the purchasers, thus no longer needing to be borne by Council, and the Council rates which will be paid by the purchasers following the sale.

Community Engagement

Council's Community Engagement Policy states that Council will undertake consultative engagement in relating to the acquisition, sale or lease of land, and in order to provide a mechanism for feedback from interested parties, it is recommended that Council invite both written and verbal submissions on the proposal.

Public Notice of Council's intention to sell the former road appeared on Council's website from 24 June 2024 for the duration of the 28-day submission period. In addition, written notification was given to all adjoining property owners and occupiers.

No submissions were received in response to the public notice and the Hearing of Submissions meeting was subsequently cancelled for 9 September 2024.

No further community engagement is proposed.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

(c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

(d) strategic planning must identify and address the risks to effective implementation;

Service Performance Principles

(e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The land associated with this item is currently a road that is not on Council's Registry of Public Roads. This land is not considered to be an essential element of the road transportation system.

The land will be consolidated within the Applicant's property and the future use of the land will be guided through planning and building regulations and controls.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The proposed sale of land process accords with suitable EIA measures. This includes that all adjoining landowners were:

- Afforded an equal opportunity to purchase the land.
- And were not prohibited by language barriers or covid related issues (which affected their ability to respond).

Economic Development and Cultural Considerations

There are no factors in this report which impact upon economic development considerations.

Operational Impacts

There are no operational impacts for these matters.

Legal and Risk Implications

Council have sought to mitigate any legal risk by engaging legal counsel to manage the statutory process for the discontinuance and sale of the roads and transfer of these parcels of land to the purchaser and/or Council. Council officers will retain specific functions to ensure that the process is supported and that critical timelines are met to ensure the ongoing viability of the project.

IMPLEMENTATION ACTIONS

- Arrange for a notice to be published in the Victoria Government Gazette.
- Arrange for the land to be sold and transferred to the owners of the adjoining property by private treaty in accordance with Council policy.
- The sale of the discontinued road will be referred to the CEO to formalise the sale under delegation.

RELATED DOCUMENTS

- Local Government Act 1989
- Local Government Act 2020
- Road Management Act 2004
- Sale of Minor Council Property Assets Policy 2022
- Toward Equality Framework

- Property Framework 2023-28

Attachments

- Site Plan (**Appendix A**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

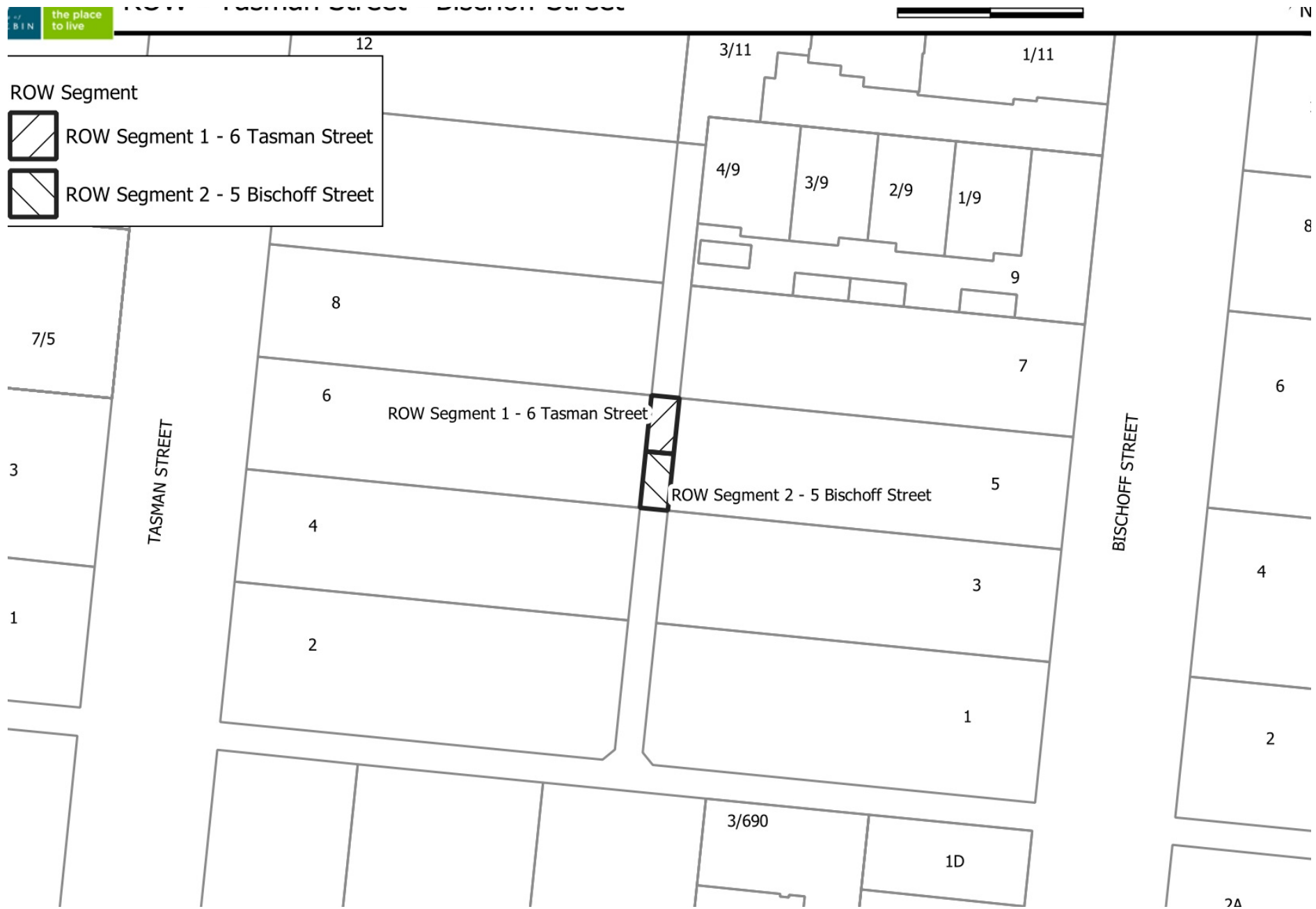
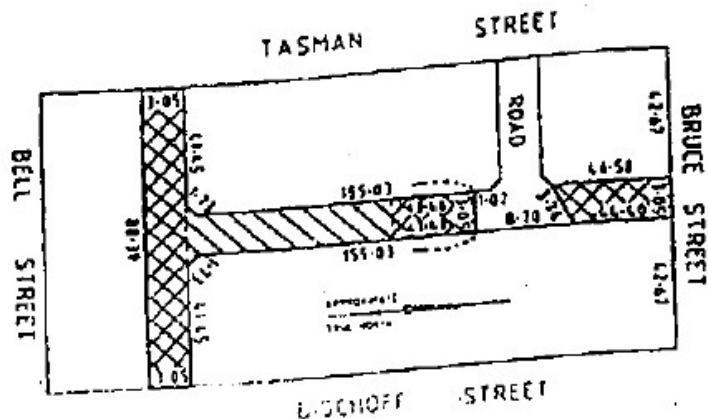


Figure 2 – Victoria Government Gazette Notice – 9 November 2000

*
DAREBIN CITY COUNCIL
Road Discontinuance

Under Section 206 and Schedule 10, Clause 3 of the Local Government Act 1989 the Darebin City Council at its Ordinary meeting held on 6 December 1999, formed the opinion that the road shown hatched and cross-hatched on the plan below is not reasonably required as a road for public use and has resolved to discontinue the road and to sell the land from the road by private treaty subject to any right, power or interest in the road held by the Melbourne Water Corporation (Yarra Valley Water Ltd) in respect to the section of the road shown cross-hatched on the plan in connection with any sewers, drains, pipes, wires or cables under the control of that authority in or near the road.

Victoria Government Gazette



PHILIP SHANAHAN
Chief Executive Officer

**9.13 PROPERTY MATTERS - SALE OF MINOR ASSETS - 27
GEORGE STREET, RESERVOIR**

Author: Coordinator Property Services
Property Officer

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the sale of the section of a discontinued road adjoining 27 George Street and 80 Pine Street, Reservoir, shown in **Figure 1** in **Appendix A**, and shown as Lot 8 on Title Plan TP23509T (collectively the 'Subject Road').

This report recommends Council endorse the sale, having given public notice of a proposal to sell the Subject Road to the owner of 27 George Street, Reservoir, by private treaty in accordance with Council's Sale of Minor Assets Policy (the Policy).

Officer recommendation

That Council:

Having given public notice of a proposal to sell the discontinued road between 27 George Street and 80 Pine Street, Reservoir, ('Subject Road'):

- (1) Notes that there were no submissions received in relation to the proposal to sell the Subject Road.
 - (2) Directs that the land from the Subject Road be sold by private treaty to the owners of the adjoining properties in accordance with the relevant sections of the Local Government Act 1989, the *Local Government Act 2020* and Council's Sale of Minor Assets Policy.
 - (3) Authorises the Chief Executive Officer (Or Delegate) to sign all documents to give effect to the sale and transfer of any land from the Subject Road to the owner of the adjoining property
 - (4) Directs that the sale of the Subject Road will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the roads in connection with any pipes under the control of Yarra Valley Water and Darebin City Council in or near the roads.
-

BACKGROUND / KEY INFORMATION

On 8 November 2000, Council resolved to discontinue the road situated between George, Pine, Henty and Edwardes Streets, Reservoir, and to sell the land by private treaty in accordance with Council policy. The discontinuance was gazetted in the Victoria Government Gazette on 7 June 2001 shown in **Figure 2** of **Appendix A**.

At the time, the abutting property owners were asked to confirm their interest in purchasing the relevant portion of land adjoining their property (known as Lot 8 on title plan TP23509T).

Whilst several lots were sold and transferred, the Subject Land remained unsold as neither owner expressed an interest in purchasing the land.

Upon the discontinuance being gazetted, and as no agreement was reached regarding the sale and transfer for the Subject Road, that parcel vests with Council despite the ownership on title being in the name of the original subdivider.

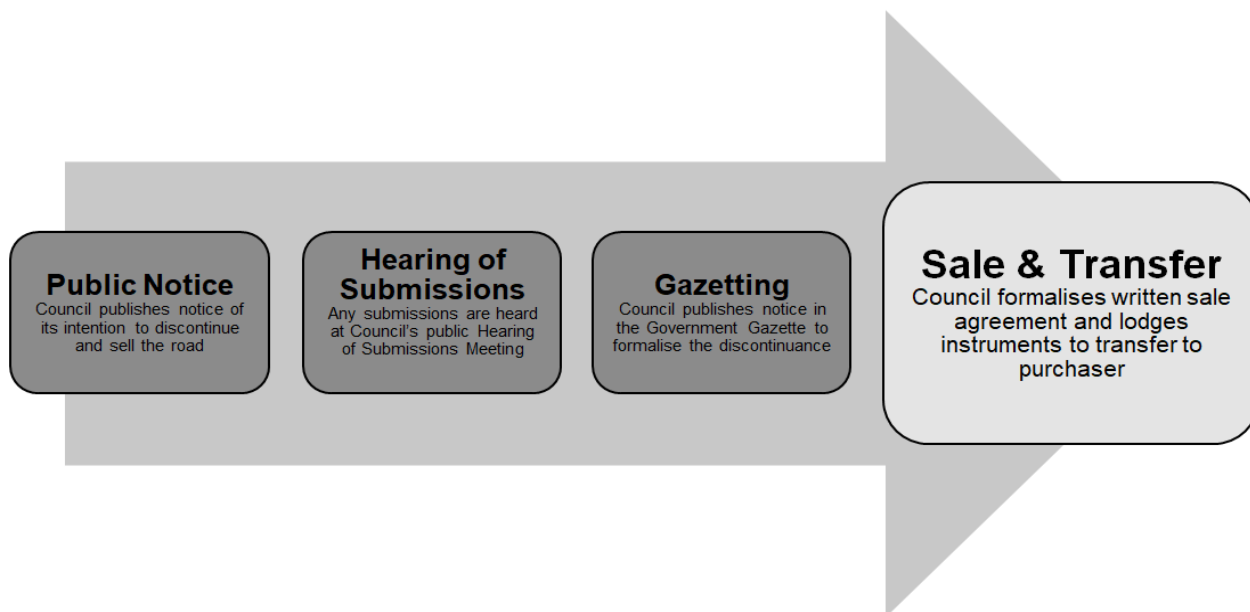
In February 2023, Council received an inquiry from the owner of 27 George Street, Reservoir requesting to purchase the Subject Road. The Subject Road could be sold:

- i) as a single parcel to one owner; or
- ii) as two parcels of equal size, to each of the adjoining owners at 27 George Street and 80 Pine Street, Reservoir.

The owners at 80 Pine Street, Reservoir have not expressed any interest in purchasing the Subject Road. The owner of 27 George Street, Reservoir has agreed, in principle, to purchase the Subject Road adjoining their property at market value as well as meeting 50% of the reasonable costs associated with the statutory process, should Council resolve to sell the land.

Sale and Transfer Process

Following discontinuance of a road, there are several steps required when Council considers selling land.



Council has already completed the public notice requirement outlined above and received no submissions. Accordingly, the next step to be able to move forward with the proposed sale of the Subject Road is to transfer the title into Council's name, following which it can be transferred to the purchaser.

Previous Council Resolution

At its meeting held on 14 August 2024, Council resolved:

- (1) *Commences the statutory procedures under section 114 of the Local Government Act 2020 to sell the land from the discontinued road adjoining 27 George Street and 80 Pine Street, Reservoir, shown hatched on the site plan in Figure 1, Appendix A and shown as Lot 8 on Title Plan TP23509T, to the owner of 27 George Street, Reservoir, by private treaty in accordance with Council's Sale of Minor Assets Policy May 2022.*
- (2) *Gives notice of its intention to sell the land on Council's website and in such notice, states, that Council proposes to sell the land from the former road to the owner of 27 George Street, Reservoir, by private treaty, in accordance with Council policy.*
- (3) *Invites both written and verbal submissions on the proposed sale and deal with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.*
- (4) *Notes that any submissions received be considered by Council's Hearing of Submissions Committee on 9 December 2024 at 7.30pm.*
- (5) *Notes that where any submissions are heard by the Hearing of Submissions Committee, a further report will be presented to Council to consider the findings from that Hearing and advise its decision on the sale of the discontinued road to the adjoining landowner.*
- (6) *Notes that if no submissions are received, a further report will be presented to the Chief Executive Officer, to confirm acceptance to the delegated responsibilities and to complete the statutory procedures for the sale of the land to the owner of 27 George Street, Reservoir, and sign all necessary documents for the sale of the land under delegation.*

At its meeting held on 8 November 2000, Council resolved:

That Council:

Being of the opinion that the section of road shown hatched on the plan and situated at the rear of 66-88 Pine Street and 11-35 George Street, Reservoir, is not reasonably required as a road for public use and having complied with the requirements of Section 206 and Schedule 10 clause 3 of the Local Government Act 1989:

- (1) *Discontinues the section of road.*
- (2) *Directs that a notice be published in the Victoria Government Gazette.*
- (3) *directs that the land from the road be sold by private treaty to the abutting property owners.*
- (4) *Directs that the discontinuance will not affect the right, power or interest held by the Council and Yarra Valley Water Ltd. in connection with any sewers, drains, pipes, wires or cables under the control of those Authorities in or near the road.*
- (5) *Directs that the seal of Darebin City Council be affixed to the necessary Transfer of Land documents.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.2 We will ensure our assets are optimised for the benefit of our community

DISCUSSION

No submissions were received from the public or any of the adjoining property owners in relation to the sale of the Subject Road.

The owner of 27 George Street, Reservoir has confirmed an interest in acquiring the Subject Road and, in line with Council's Sale of Minor Assets Policy, has agreed to pay:

- i) A purchase price equivalent to the current market value of the Subject Road
Council's Valuer has placed a total market value of \$20,882.40 (including GST) on the approximately 42 square metres for the whole of the Subject Road
- ii) Council's reasonable costs associated with the transfer of land
- iii) 50% of Council's reasonable costs associated with the statutory process to discontinue and sell the land under s114 of the LGA

All relevant external service authorities and the relevant internal Council Business Units have been consulted.

The land will be subject to a drainage easement in favour of Yarra Valley Water and Council to ensure access rights are maintained and to allow for any future drainage works, if required.

No other Council Business Units or external Service Authorities have objected to or placed any conditions upon the proposed sale.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES**Local Government Act**

Council is required to undertake a two staged process of first resolving to discontinue a road and sell the land under clause 3 of Schedule 10 of the *Local Government Act 1989 Act* and then propose the sale of the land under section 114 of the *Local Government Act 2020*.

The first stage of discontinuing the Subject Land was completed in 2000 in accordance with the statutory requirements.

In line with section 114 of the LGA any proposal for the sale of Council land from a discontinued road must first satisfy any obligations outlined in Council's Community Engagement Policy. These obligations have been met and the community engagement process undertaken is detailed in the relevant section below.

Notice of intention to sell the Land will provide affected parties the right to lodge a written submission with Council. Submitters may request to be heard by Council prior to a decision being made to proceed, or otherwise with the proposal. Any verbal submissions received will be considered by Council's Hearing of Submissions Committee.

Financial Management

Council's Valuer has placed a market value of \$20,882.40 (incl GST) on the 42m² of land shown as Lot 8 on Title Plan TP23509T which is intended to be sold to the owner of 27 George Street, Reservoir.

50% of the costs incurred by Council will be recouped from the purchasers upon the sale being effected.

Additionally, there are ongoing financial benefits to Council in the form of maintenance obligations which will be passed on the purchasers, thus no longer needing to be borne by Council. The land will also attract Council rates once transferred.

Community Engagement

Council's Community Engagement Policy states that Council will undertake consultative engagement in relating to the acquisition, sale or lease of land, and in order to provide a mechanism for feedback from interested parties, it is recommended that Council invite both written and verbal submissions on the proposal.

Public Notice of Council's intention to sell the road appeared on Council's website from 28 October 2024 for the duration of the 28-day submission period. In addition, written notification was given to all adjoining property owners and occupiers.

No submissions were received in response to the public notice and the Hearing of Submissions meeting was subsequently cancelled for 9 December 2024.

No further community engagement is proposed.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

(c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

(d) strategic planning must identify and address the risks to effective implementation;

Service Performance Principles

(e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The land is currently occupied as passive open space.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

There are no factors in this report which will impact on equity, inclusion, wellbeing and human rights considerations.

Economic Development and Cultural Considerations

There are no factors in this report which impact upon economic development considerations.

Operational Impacts

There are no operational impacts for these items as the roads are unmade and under Council's Road Management Plan, it has no maintenance responsibilities with respect to these roads.

Legal and Risk Implications

Council have sought to mitigate any legal risk by engaging legal counsel to manage the statutory process for the discontinuance and sale of the roads and transfer of these parcels of land to the purchaser and/or Council.

IMPLEMENTATION ACTIONS

- Arrange for the land to be sold and transferred to the owners of the adjoining property by private treaty in accordance with Council policy.
- The sale of the discontinued road will be referred to the CEO to formalise the sale under delegation.

RELATED DOCUMENTS

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy 2022
- Toward Equality Framework
- Property Framework 2023-28

Attachments

- Site Plan (**Appendix A**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Appendix A

Figure 1 - Site Plan

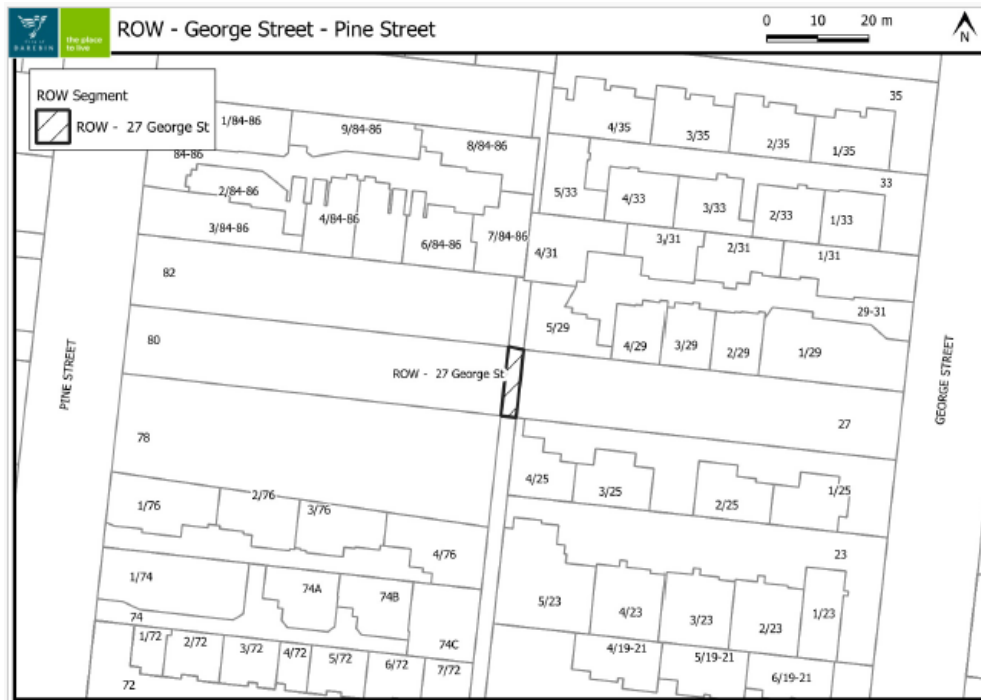


Figure 2 – Victoria Government Gazette Notice – 7 June 2001

DAREBIN CITY COUNCIL
Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the **Local Government Act 1989**, the Darebin City Council, at its ordinary meeting held on 8 November 2000, formed the opinion that the road at the rear of 66 to 88 Pine Street and 11 to 35 George Street, Reservoir and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by Darebin City Council and Yarra Valley Water Limited in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road.

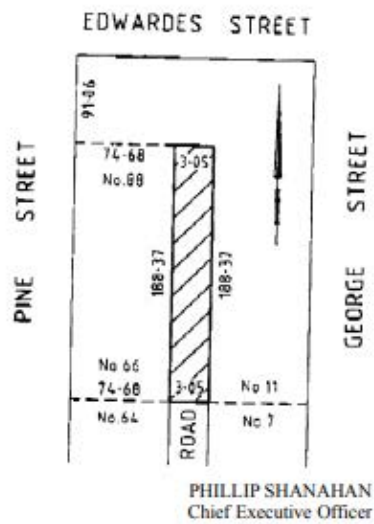


Figure 3 - Aerial View



9.14 PROPERTY MATTERS - SALE OF MINOR ASSETS - 4/1 FURZER STREET, PRESTON

Author: Coordinator Property Services
Property Officer

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

This report recommends completion of the statutory procedures for the proposed discontinuance and sale of a road adjoining 4/1 Furzer Street, Preston, specifically known as Lot 1 on Title Plan TP971534E, and shown in **Figure 1** in **Appendix A** ('Subject Road').

This report recommends Council endorse the discontinuance and sale, having given public notice of a proposal to discontinue and sell the Subject Road to the owners of 4/1 Furzer Street, Preston, by private treaty in accordance with Council's Sale of Minor Assets Policy (the Policy)

Officer recommendation

That Council:

Having given public notice of a proposal to discontinue and sell the road adjoining 4/1 Furzer Street, Preston (Subject Road):

- (1) Notes that there were no submissions received in relation to the proposal to discontinue and sell the Subject Road.
 - (2) Directs that the land from the Subject Road be discontinued and sold by private treaty to the owners of the adjoining property in accordance with the relevant sections of the Local Government Act 1989, the Local Government Act 2020 and Council's Sale of Minor Assets Policy.
 - (3) Directs that notice of the discontinuance be published in the Victoria Government Gazette.
 - (4) Authorises the Chief Executive Officer (or Delegate) to sign all documents to give effect to the sale and transfer of any land from the Subject Road to the owner of the adjoining property
 - (5) Directs that the discontinuance and sale will not affect any right, power or interest held by Melbourne Water and Darebin City Council, in the roads in connection with any pipes under the control of Melbourne Water and Darebin City Council in or near the roads.
-

BACKGROUND / KEY INFORMATION

In July 2021, Council received an inquiry from the owners of 4/1 Furzer Street, Preston, requesting the discontinuance and sale of the Subject Road, which forms part of an extension of Cobden Street.

Investigations by Council Officers identified that although the extension of Cobden Street in question remains a road on title, it is not listed on Council's Register of Public Roads.

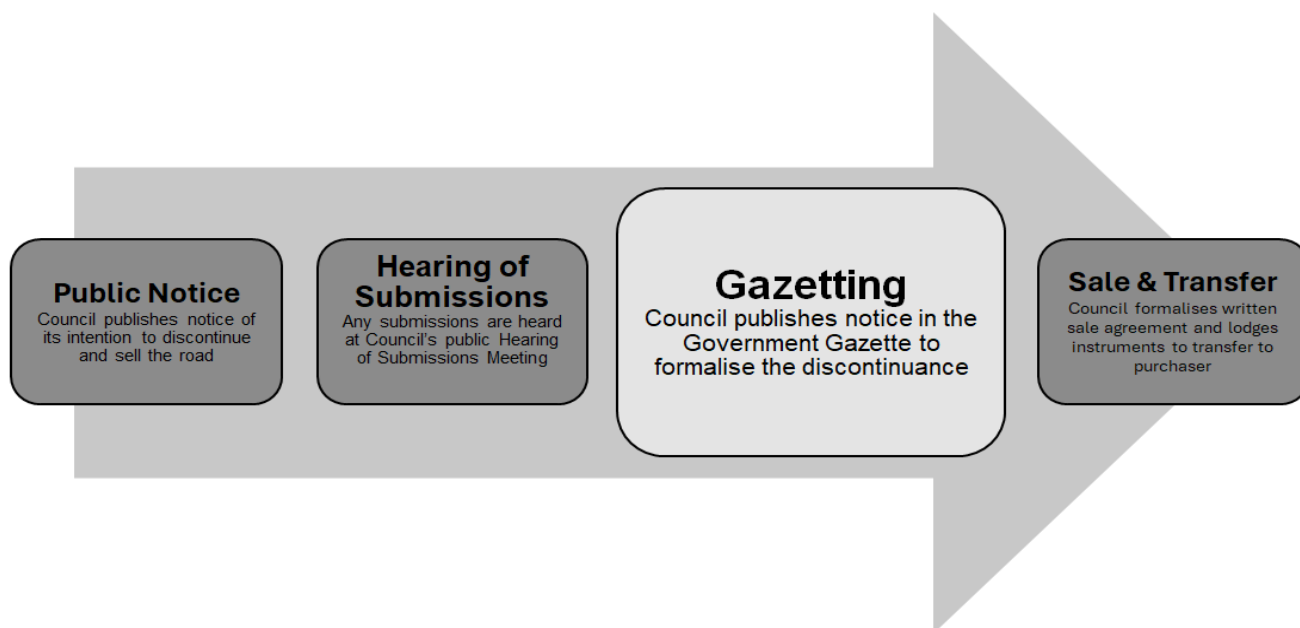
The Subject Road appears to have been enclosed for several years within three adjoining properties at units 3/1 and 4/1 Furzer Street and 48 McNamara Street, as shown in the plan of occupation in **Figure 2** in **Appendix A**. As a result of the enclosure, the Subject Road has been unusable as a road for some time, as shown on the aerial view in **Figure 3** in **Appendix A**.

Once initial investigations confirmed the feasibility of the proposed discontinuance, Macquarie Lawyers were commissioned to undertake further consultation with a view to Council commencing the statutory procedures to facilitate the possible discontinuance and sale of the triangular section of road.

All immediate adjoining property owners have been informed of the proposal and no objections or issues have been raised.

The owners of 3/1 Furzer Street, Preston and 48 McNamara Street, Preston have also been approached in relation to the discontinuance and sale of that section of road adjoining their property, but confirmed they have no interest in acquiring the land they occupy. This land has been excluded from this discontinuance and sale proposal.

Discontinuance, Sale and Transfer Process



Council has already completed the public notice requirement outlined above for the Subject Road and received no submissions. Accordingly, the next step to be able to move forward with the proposed sale of the Subject Road to the purchaser is to publish notice of the discontinuance in the Government Gazette, then transfer the title into Council's name, following which it can be transferred to the purchasers.

The process to be followed to give effect to the discontinuance, sale and transfer of the relevant land is:

1) Public Notice

In line with its requirements under section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* (in relation to the discontinuance) and section 114 of the *Local Government Act 2020* (in relation to the sale) Council publishes a notice stating its intention to discontinue and sell the road, in line with Council's community engagement policy.

2) Hearing of Submissions

Upon the closing of the public notice period, if any submissions are received by Council, they must be heard at a public Hearing of Submissions meeting per section 223 of the *Local Government Act 1989*.

3) Gazetting of Discontinuance

In order to effect the discontinuance of the road, Council must publish notice in the Victorian Government Gazette, as required by section 12 of the *Road Management Act 2004*.

4) Transfer to Council

Although the land is vested in Council, ownership still sits with the original owner following discontinuance. Accordingly, to be able to deal with the relevant land, Council must transfer the title to the land into Council's name.

5) Sale and Transfer to Purchaser

Once the title has been registered in the name of Council, Council is able to register the transfer to the purchaser/s in line with any Contract of Sale or similar relating to the agreement to sell the land.

Previous Council Resolution

Council, at its meeting dated 14 August 2024, resolved:

'That Council

- (1) *Commences the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue and sell the Road adjoining 4/1 Furzer Street, Preston, shown hatched in **Appendix A**, and section 114 of the Local Government Act 2020 to sell the land from the Road.*
- (2) *Gives public notice under section 223 of the Local Government Act 1989 and section 114 of the Local Government Act 2020 in the appropriate newspapers and on Council's website of the intention to discontinue the road and sell the land to the owners of 4/1 Furzer Street, Preston, by private treaty and transfer to itself any land from the road not sold in accordance with Council's Sale of Minor Assets Policy May 2022.*
- (3) *Invites both written and verbal submissions on the proposed discontinuance and sale, as part of its community engagement process and deals with any submissions received in line with the principles set out in section 223 of the Local Government Act 1989.*
- (4) *Notes that any submissions be considered by Council's Hearing of Submissions Committee at a meeting to be held on 9 December 2024 at 7.30 p.m.*

- (5) *Notes, if no submissions are received, a further report will be presented to Council on 12 December 2024 to consider completion of the statutory procedures, for the discontinuance and sale of the road to the owners of 4/1 Furzer Street, Preston.*
- (6) *Notes, that notwithstanding the present intention to sell the land to the owners of 4/1 Furzer Street, Preston, in the event that submissions are received from other adjoining property owners or interested parties, Council reserves the right to reallocate the manner in which the land is to be sold in accordance with the Sale of Minor Asset Policy 2022.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.2 We will ensure our assets are optimised for the benefit of our community

DISCUSSION

No submissions were received from the public or any of the adjoining property owners in relation to the discontinuance and sale of the Subject Road.

The owners of 4/1 Furzer Street, Preston have confirmed an interest in acquiring the Subject Road and, in line with Council's Sale of Minor Assets Policy, have agreed to pay:

- i) A purchase price equivalent to the current market value of the Subject Road
Council's Valuer has placed a total market value of \$32,637.00 (including GST) on the approximately 64.5 square metres for the whole of the Subject Road
- ii) Council's reasonable costs associated with the transfer of land
- iii) 50% of Council's reasonable costs associated with the statutory process to discontinue and sell the land under s114 of the LGA

All relevant external service authorities and the relevant internal Council Business Units have been consulted.

The land will be subject to a drainage easement in favour of Yarra Valley Water and Council to ensure access rights are maintained and to allow for any future drainage works, if required.

No other Council Business Units or external Service Authorities have objected to or placed any conditions upon the proposed sale.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Local Government Act

Council is required to undertake a two staged process of first resolving to discontinue a road under clause 3 of Schedule 10 of the *Local Government Act 1989* Act and then selling of the land under section 114 of the *Local Government Act 2020*.

Council has met the statutory requirements outlined in the *Local Government Act 1989* in relation to publishing notice of the discontinuance of the Subject Road.

In line with section 114 of the LGA any proposal for the sale of Council land from a discontinued road must first satisfy any obligations outlined in Council's Community Engagement Policy.

These obligations have been met and the community engagement process undertaken is detailed in the relevant section below.

Financial Management

Council's Valuer has placed a market value of \$32,637.00 (incl GST) on the 64.5m² of land shown as Lot 1 on Title Plan TP971534E intended to be sold to the owners of 4/1 Furzer Street, Preston.

50% of the costs incurred by Council will be recouped from the purchasers upon the sale being effected.

Additionally, there is the ongoing financial benefit of Council rates being paid by the purchaser on the land once transferred.

Community Engagement

Council's Community Engagement Policy states that Council will undertake consultative engagement in relating to the acquisition, sale or lease of land, and in order to provide a mechanism for feedback from interested parties, it is recommended that Council invite both written and verbal submissions on the proposal.

Public Notice of Council's intention to sell the road was published in the Herald Sun on 28 October 2024 and appeared on Council's website from 28 October 2024 for the duration of the 28-day submission period. In addition, written notification was given to all adjoining property owners and occupiers.

No submissions were received in response to the public notice and the Hearing of Submissions meeting was subsequently cancelled for 9 December 2024.

No further community engagement is proposed.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

- (d) strategic planning must identify and address the risks to effective implementation;

Service Performance Principles

- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

The land associated with this item is currently a road that is not on Council's Registry of Public Roads. This land is not considered to be an essential element of the road transportation system.

The land will be consolidated within the Applicant's property and the future use of the land will be guided through planning and building regulations and controls.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The proposed sale of land process accords with suitable EIA measures. This includes that all adjoining landowners were:

- Afforded an equal opportunity to purchase the land.
- And were not prohibited by language barriers or covid related issues (which affected their ability to respond).

Economic Development and Cultural Considerations

There are no factors in this report which impact upon economic development considerations.

Operational Impacts

There are no operational impacts for these items as the roads are unmade and under Council's Road Management Plan, it has no maintenance responsibilities with respect to these roads.

Legal and Risk Implications

Council have sought to mitigate any legal risk by engaging legal counsel to manage the statutory process for the discontinuance and sale of the roads and transfer of these parcels of land to the purchaser and/or Council.


IMPLEMENTATION ACTIONS

- Arrange for a notice to be published in the Victoria Government Gazette.
- Instruct Council's solicitors to arrange for the Subject Road to be sold and transferred to the owners of the adjoining property by private treaty in accordance with Council policy. A plan of consolidation will also be required.
- The sale of the discontinued road will be referred to the CEO to formalise the sale under delegation.

RELATED DOCUMENTS

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy 2022
- Toward Equality Framework

Attachments

- Site Plan (**Appendix A**) [↓](#) 

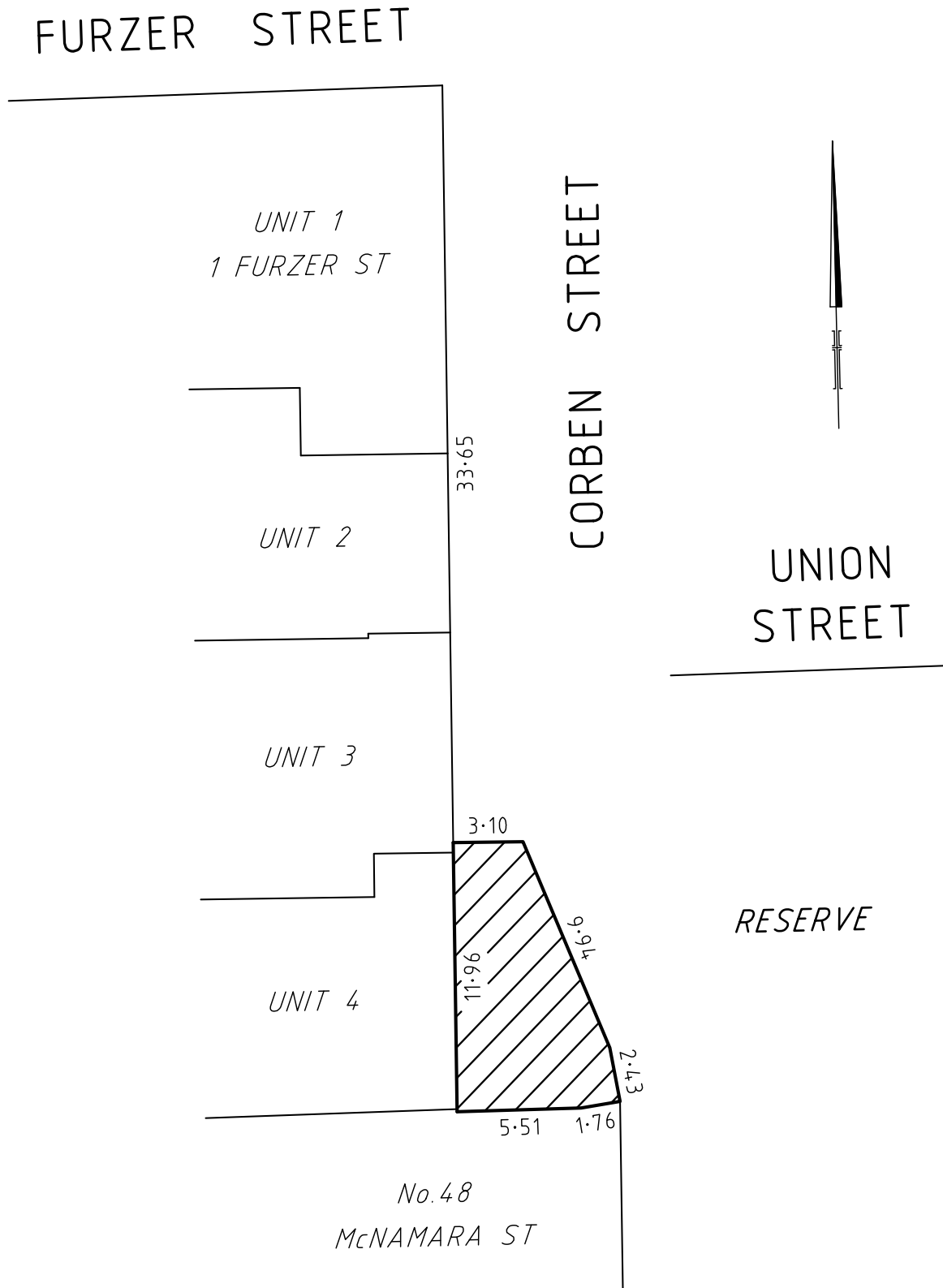
DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

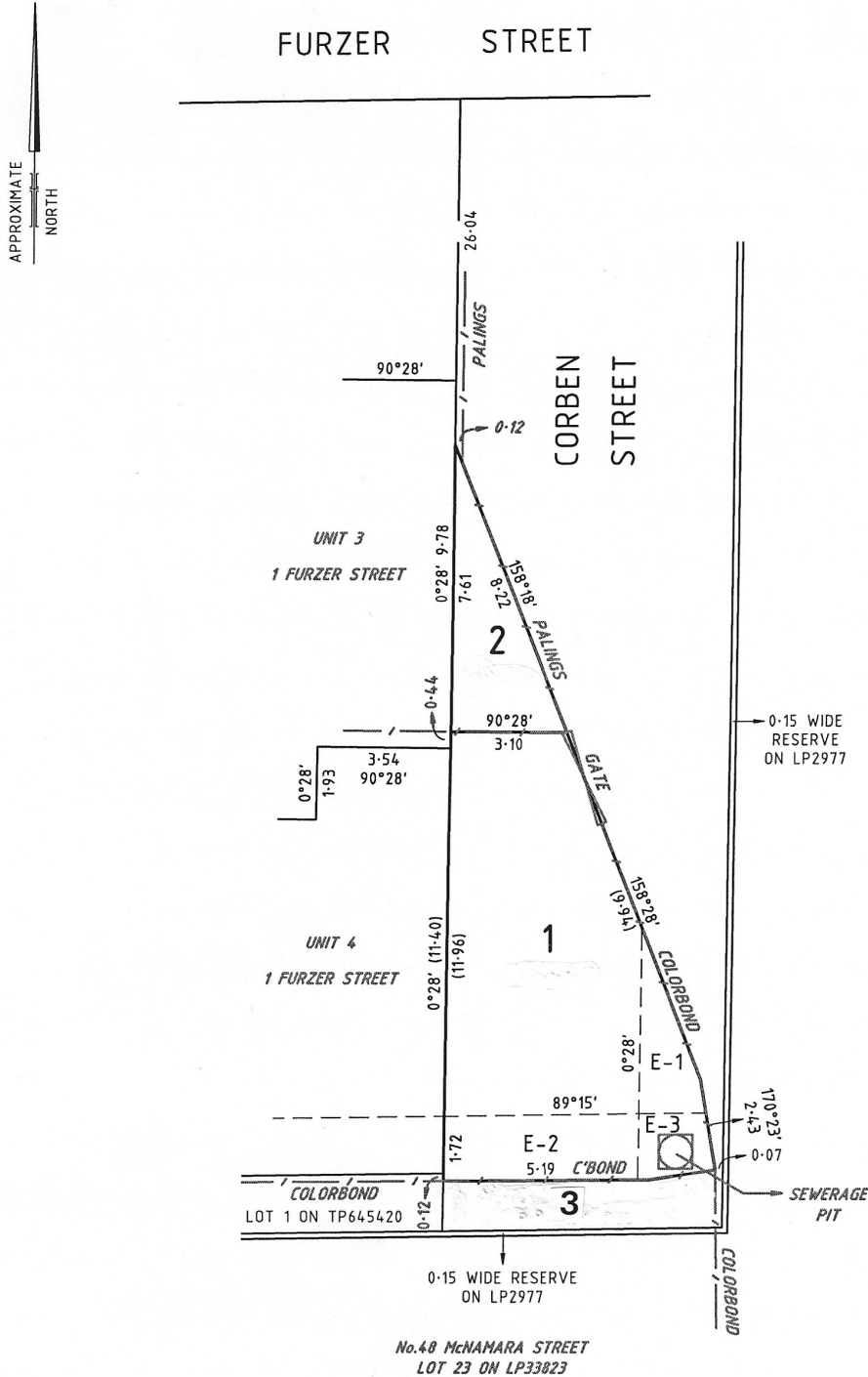
The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Appendix A

Figure 1 - Site Plan



PLAN OF OCCUPATION



EASEMENT INFORMATION

EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1 & E-3	AS PROVIDED FOR IN SEC.207C LGA 1989	SEE DIAGRAM	SEC.207C LGA 1989	YARRA VALLEY WATER
E-2 & E-3	AS PROVIDED FOR IN SEC.207C LGA 1989	SEE DIAGRAM	SEC.207C LGA 1989	DAREBIN CITY COUNCIL

BARKER MONAHAN
 A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD
 SURVEYORS, DEVELOPMENT AND
 LOCAL GOVERNMENT CONSULTANTS
 418 HIGH STREET, KEW 3101
 P.O. BOX 3018 COTHAM 3101
 TELEPHONE 9478 6133 FAX 9470 5189
 EMAIL: survey@barkermonahan.com.au

REF. 21751 VERSION 01
 COMPUTER FILE: 21751 DISCUSSION.DWG DATE: 27/11/2023

SCALE 1:125
 0 1.25 2.50 3.75 5 6.25
 LENGTHS ARE IN METRES

SHEET 1 OF 1 SHEET
 ORIGINAL SHEET SIZE: A3

Figure 3 - Aerial View



10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

11.1 RESERVOIR LEISURE CENTRE ADVOCACY

Councillor: Vasilios TSALKOS

NoM No.: 3/24-28

Take notice that at the Council Meeting to be held on 16 December 2024, it is my intention to move:

That Council

In developing a funding strategy for the Reservoir Leisure Centre, the Mayor, on behalf of Council, write to the Federal and State Governments seeking funding support for funding in partnership with Darebin City Council.

Notice Received: 1 December 2024

Notice Given to Councillors 1 December 2024

Date of Meeting: 16 December 2024

Rationale

In order to provide equity of access to quality leisure services and infrastructure across the municipality, in a timely manner, the Council should investigate the possibility of partnerships with other levels of government to inform the development of its Reservoir Leisure Centre funding strategy. This strategy would supplement the Council's commitment to developing concept designs and undertaking community consultation.

Attachments

Nil

11.2 **2 WINGROVE ST ALPHINGTON****Councillor:** **Emily DIMITRIADIS****NoM No.:** **4/24-28**

Take notice that at the Council Meeting to be held on 16 December 2024, it is my intention to move:

That Council:

- (1) *Notes at the 27 May 2024 council meeting, council resolved to direct all future decisions relating to short, mid and long-term use of at 2 Wingrove Street Alphington be reported to Council meetings for decision rather than being made under delegation as follows:*
 - (a) *Decisions relating to the future use of the site including establishment or conclusion of leases or licences.*
 - (b) *Decisions at key stages of the work towards master planning including approval of the project plan (and scope), approval of the community engagement plan, receiving the feasibility study and decisions about outcome of any future EOI process.*
 - (c) *For avoidance of doubt, only operational matters relating to this site are to remain within the CEO's delegated authority.*
- (2) *Receives a report at the 29 January 2024 council meeting to include broader community consultation as part of stage one of master planning for the site at 2 Wingrove St Alphington.*

Notice Received: **1 December 2024****Notice Given to Councillors** **1 December 2024****Date of Meeting:** **16 December 2024****Rationale:**

In the interests of public transparency and accountability, Council should be the decision-making authority on the short, mid and long-term use of the site at 2 Wingrove St Alphington. Given significant public interest in the future of this site, Council should also include the community's advice and feedback for the master plan of 2 Wingrove St Alphington.

Attachments

Nil

11.3 VEGETATION MANAGEMENT**Councillor:** Julie O'BRIEN**NoM No.:** 5/24-28

Take notice that at the Council Meeting to be held on 16 December 2024, it is my intention to move:

That Council:

- (1) *Receives a report on relevant policies, strategies, plans and associated processes that inform how we currently manage vegetation including:*
 - *How we ensure protection of existing vegetation with a specific focus on trees on or near private development sites and within Council open space planting projects.*
 - *How we plan what we plant and where we do it, including open space and street trees.*
 - *How we define 'significant trees' on private and Council land.*
 - *The specific permit and compliance regime in place to manage potential development impacts on existing vegetation.*
 - *The numbers, types and locations of complaints received from the community from 2022 – 2024 in relation to vegetation management, follow up compliance actions and fines issued, analysing and documenting what trends may exist in this information and data. Include complaints received directly to Council (Customer Service or via Councillors) and through the 'Snap Send Solve' app.*
 - *Investigating and documenting what best practice vegetation/tree management looks like in other comparable municipalities.*
 - *Identify any current gaps that we have in Darebin and associated opportunities for improvements that we could adopt as part of upcoming Council priorities such as Local Laws, the Council Plan and any other relevant policies, strategies or plans.*
- (2) *Noting that prioritisation needs to be given to the Local Laws review project in the near term, that the Report is delivered to the Mar/Apr 2025 meeting (TBC) based on most effective timing to inform a strategic priority around vegetation/tree maintenance and management in the new Council Plan should we decide to give effect to something there.*
- (3) *Publicises information contained in this motion through Council's website and social media channels, including information about how residents can contribute further information based on their own observations and experiences.*

Notice Received: 2 December 2024**Notice Given to Councillors** 2 December 2024**Date of Meeting:** 16 December 2024

Rationale

Vegetation/tree maintenance and management is an issue of concern to the community, especially in relation to trees impacted by private development and a perceived lack of care factor and consequence for developers that wilfully or accidentally damage trees on or near their construction sites. This concern also extends to Council revegetation projects in relation to planting choices and timing, and maintenance requirements to ensure survival.

Vegetation and tree cover is critical to our City in relation to many elements including:

- Minimising the Urban Heat Island effect as we experience more extreme and more frequent hot days as a result of climate change.
- Improving people's mental health and wellbeing through connection to nature and having cooler streets to navigate enabling them to safely move around and engage in their communities.
- Providing much needed habitat for native and indigenous animals such as insects, birds, reptiles and mammals.

Considering the costs to Council of increasing our vegetation and tree cover based on achieving the benefits described above, we need to make sure we are protecting existing vegetation as well as planting out new places

Attachments

Nil

11.4 REVISITING YOUR STREET YOUR SAY GROUP B**Councillor: Emily DIMITRIADIS****NoM No.: 6/24-28**

Take notice that at the Council Meeting to be held on 16 December 2024, it is my intention to move:

That Council:

- (1) *Notes that council on 8 January 2024 resolved, in relation to the Your Street Your Say – Group B, to prioritise projects “to ensure that children’s safety is in the top 5 list of priorities to allow children to safely walk, cycle, take public transport or get dropped off at their school, kindergarten or childcare centre”.*
- (2) *Notes that on 24 June 2024 council resolved to reprioritise those projects which obtained significantly lower community support throughout the consultation process.*
- (3) *Accordingly, seeks a Council report at the 29 January 2024 ordinary Council meeting that provides advice on the impacts and implementation required to suspend the projects listed in paragraphs (1)(a), (b), (c), (d) and (e) of Council Resolution 9.4 (Minute No. 24-105), including reprioritising the following four projects pursuant to the community feedback of the Your Street Your Say Group B:*
 - (a) *Design and install a raised intersection at Separation Street and Perry Street with zebra crossings across all four sides of the intersection (subject to Department of Transport and Planning approval), near Perry Street Childcare Centre and Fairfield Primary School.*
 - (b) *Consult Thornbury High School and undertake surveys to understand whether people are mostly entering the school off Matisi Street near Collins Street or north of Theobald Street. Then reposition and construct the wombat crossing to suit desire-line.*
 - (c) *Raised zebra crossings across all approaches to roundabouts on Newcastle Street between Dundas Street and Pender Street near Pender’s Grove Primary School and Thornbury Kindergarten.*
 - (d) *Install a raised intersection at Jones Street and Collins Street, with zebra crossings across all four sides of the intersection, near Thornbury High School.*

Notice Received: 2 December 2024**Notice Given to Councillors 2 December 2024****Date of Meeting: 16 December 2024**

Rationale:

Given the results of community consultation for the Your Street Your Say Group B area, do not reflect the council's current list of priority projects, this motion aims to reprioritise the projects that received greater support by the community.

Attachments

Nil

11.5 RLC, AGED CARE, HARD WASTE AND MID-YEAR BUDGET REVIEW**Councillor: Gaetano GRECO****NoM No.: 7/24-28**

Take notice that at the Council Meeting to be held on 16 December 2024, it is my intention to move:

That Council:

(1) *Reservoir Leisure Centre*

- (a) *Notes the timelines on the Council Website on the future redevelopment of the Reservoir Leisure Centre as follows:*
- (i) *Community consultation - 8th August 2024- 15th September 2024 (completed)*
 - (ii) *Analysis of feedback and development of options - October 2024- November 2024 (active)*
 - (iii) *Report to Council on engagement outcomes, recommended options and next steps - December 2024 (incomplete).*
- (b) *Accordingly receives a Council report in February 2025 on engagement outcomes, recommended options and next steps.*

(2) *Council in-house home care services*

- (a) *Notes the Aged Care Reforms at Federal Government level, scoping and feasibility work currently underway and development of a new Council Plan 2025-2029.*
- (b) *Notes with concern the decisions of other Councils to not continue in-house Council home care services for senior residents.*
- (c) *Re-affirms its current commitment to provide quality in-house home care services for the aged community in Darebin which are delivered by trusted Council staff.*

(3) *Review of Council's 2025 booked hard waste annual collection service*

- (a) *Notes the changes made by the previous Council to Council's long standing winter bulk hard waste annual collection service and booked collection service in spring.*
- (b) *Notes that in 2025 Council will be introducing a more limited booked hard waste collection system for a trial period.*
- (c) *Receives a Council report to immediately review the changes made to the Council's winter bulk hard waste annual collection service and booked collection in spring, as soon as practical and before the proposed rollout of the new trial at a 2025 Ordinary Council meeting.*

(4) *2024-2025 Council mid-year budget review*

- (a) *Notes the election of a new council with seven new Councillors*
- (b) *Receives Council report at the Ordinary Council meeting in February 2025 to consider any new cost implications, priorities or changes that may be considered as part of the 2024 – 2025 Council budget midyear review process*

Notice Received:	2 December 2024
Notice Given to Councillors	2 December 2024
Date of Meeting:	16 December 2024

Rationale

The recent Council elections brought in seven new Councillors.

Part one and two of the motion reassure Darebin residents that Council reaffirms its current commitment to redeveloping and eventually rebuilding the Reservoir Leisure Centre and that Council maintains its current commitment to provide quality in-house home care services to our senior residents which are delivered by valued and experienced Council staff.

Part three of the motion calls for a report to come to a Council meeting to review changes made to our winter kerbside bulk hard waste annual collection service and booked collection in spring as soon as practical and before the proposed rollout of the new trial at a 2025 Ordinary Council meeting. This service has been provided by Council for more than a decade, however it will cease to be delivered as a bulk annual service this year as the previous Council changed the service to trial a reduced booking service. Before the change is put in place in 2025, the new Council should consider a report that comprehensively compares both types of services, their pros and cons and the case for change or no change.

Part four of the motion calls for a midyear (6 months) budget review to consider any budget variations that need to be made. This is a prudent Council practise given shifting financial constraints and priorities

Attachments

Nil

12. URGENT BUSINESS

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


14. CLOSE OF MEETING

**CITY OF
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